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SOME CURIOUS COLONIAL REMEDIES <sup>1</sup>

THE weapon-ointment derived from the Rosicrucians was compounded of many absurdities ; there was pulverized blood-stone, a cure by likes, and there was also moss taken from the skull of a dead man unburied, and other ghastly ingredients.<sup>2</sup> This precious unguent was applied not to the wound but to the weapon or implement which had produced it. The weapon was then carefully bandaged to protect it from the air. It was the wound, however, which was healed ; the cures are well attested, as impossible cures usually are. Experiment proved that "a more homely and familiar ointment" would serve the turn just as well, and, moreover, in that day of emblemism the ointment proved quite as efficacious when applied to an image of the offending weapon. To the Rosicrucians was attributed also a similar cure which came into great notoriety in England in the middle of the seventeenth century.<sup>3</sup> This was the widely famous sympathetic powder, made of vitriol with much ceremonial precision. The powder stopped hemorrhages either from disease or wounds. It was applied to the blood after it

<sup>1</sup> From the unpublished volume entitled *Transit of Civilization*.

<sup>2</sup> It must have been unfortunate to have a prescription of such value in controversy, but the authorities were not agreed as to its ingredients. Moss from the skull of a dead man, *os dei derelicta*, was however a permanent element. Bacon gives some account of one prescription in his *Natural History*, section 998. But John Baptist Porta has the prescription given by Paracelsus to the Emperor Maximilian and received through a courtier by Porta. I give it in English : Two ounces of skull moss as above ; of human flesh, the same ; of mummy (a liquor reported to be distilled from dead bodies) and of human blood, each half an ounce ; of linseed oil, turpentine and Armenian bole, each one ounce ; pound all together in a mortar. Porta's *Magia Naturalis*, liber VIII, caput xii. According to Porta the weapon was left lying in the ointment. In the text I have followed a different account in Bacon's *Natural History*. In the selection of ingredients for this preparation the mystical doctrine of curing by similitude is manifest.

<sup>3</sup> Sprengel, *Geschichte der Arzneikunde*, IV. 343.

had issued from the wound or to the blood-stained garment. Winthrop of Connecticut, a fellow of the Royal Society and the great medical authority of New England, imported the latest books<sup>1</sup> on the subject of this powder, which may well have come into use in a country where surgical cases were not infrequent. Before Winthrop's time and after, learned German writers on physic had attempted to give a scientific basis to the weapon-ointment and powder of sympathy by attributing their operation to magnetism,<sup>2, 3</sup> a term that has covered more ignorance than any other ever invented. The philosopher Kenelm Digby, a contemporary of Winthrop, made himself the protagonist of the powder in a treatise on the subject. Lord Bacon was in some doubt about the weapon-ointment, but he rather inclined to believe in its cures because a distinguished lady had similarly relieved him of warts by rubbing them with a rind of pork which was then hung up, fat side to the sun, to waste vicariously away, carrying his warts into non-existence with it. Roberti, the Jesuit, believed that such cures took place but ascribed them to the devil. All these cures that were wrought without "contaction," including the home-made sorcery of curing warts, Bishop Hall accounted damnable witchcraft.<sup>4</sup> Of such necromancy the bacon-rind cure has alone survived to modern times. The rag-bag of folk-medicine is filled with the cast-off clothes of science.

The seventeenth century lay in the penumbra of the Middle Ages and the long-sought potable gold of the alchemists was yet in request;<sup>5</sup> it even enjoyed a revival.<sup>6</sup> Almost everything precious and

<sup>1</sup> E. g., *De Pulvere Sympathetico*, 1650.

<sup>2</sup> Sprengel as above, IV. 345, 346.

<sup>3</sup> "The operation of this ointment," says the author of a famous pharmacopoeia in 1641, "is by the identity or sameness of the Balsamick spirit which is the same in a Man and in his Blood; for there is no difference but this, in a man the spirit actually lives, but in the blood it is coagulated." Schröder quoted by Salmon, *English Physician*, VII. 65. See also Sir Kenelm Digby's *Sympathetic Powder*, generally, and a theory of the action of this powder or "zaphyrian salt" in Howell's *Familiar Letters*, Jacob's edition, 645. An account of the cure of Howell by this remedy is in Supplement II., 673, 674. The sympathetic powder was used for all hemorrhages and even for other diseases, according to Sprengel. Compare Sir K. Digby on the cure of swelled feet in oxen, *Discourse on Sympathetic Powder*, 129-132. In the time of their greatest vogue these cures were probably never sanctioned by the strict Galenists. The subject was discussed before the Royal Society in its infancy in a paper entitled "Relations of Sympathetic Cures and Trials." Sprat, 199.

<sup>4</sup> Hall's *Cases of Conscience*, 232.

<sup>5</sup> An English manuscript in my possession in the hand-writing of the seventeenth century gives many directions for alchemical processes to attain the "quintessence" so much sought. Some of these had to be conducted in the earth. Under the title, "The Essence whereby to dissolve Gold," this occurs: "To the Essence of wine twice circulated (as is elsewhere taught) add Gold and Sett it in digestion in Sand with a Lamp For 3 months and yu shall find the Gold dissolved but not irreducibly, never the lesse a quarter of a Spoonfull given at a time to a dying man, tho he be insensible it will restore him half an hour to perfect sence, as ever he was in his life."

<sup>6</sup> Burton's *Anatomy of Melancholy*, Sec. I, 3.



rare was accounted of medical virtue,<sup>1</sup> and it was inferred that gold as the most precious metal would be the most valuable remedy,<sup>2</sup> if it could be taken in liquid form. The known usefulness of mercurial remedies was attributed to the fact that mercury was the densest of liquids. Gold was the densest metal then known, and it was easily concluded by the process of using fancy to give fluidity to logic, that if it could be reduced to drinkable consistency it would be the most valuable of medicaments. There was a yet more convincing way of proving its medical value by the process of presumption, so much used by hermetic philosophers. The sun and gold were related in the mystical thought of the time;<sup>3</sup> the sun as chief luminary was the "lord in the property" of gold. "There is not found among things above or things beneath," says Glauber, "a greater harmony and friendship than that between the Sun, Gold, Man and Wine."<sup>4</sup> The easy logic of the time found in this transcendental fancy a therefore potent enough to make gold a universal

<sup>1</sup>Queen Elizabeth's ambassador to the French court in 1596 was attended in his illness by Lorrayne, a physician of the famous faculty of Montpellier, and another. "They gave him *confectio Alcarmas* composed of musk, amber, gold, pearl and unicorn's horn," ingredients whose virtues seem to have been deduced from their rarity and costliness. The *confectio alkermes*, an Arabic remedy, varied in its ingredients. The amber was ambergrease. See formula in the Amsterdam *Pharmacopoea* of 1636, page 61, and that in the London *Dispensatory*, as quoted and discussed in Culpepper's *Physician's Library*, 1675. The Arabic form of the confection appears to have been less complicated. In the pharmaceutical work of Mesue the younger—"John, the son of Mesue, the son of Mech, the son of Hely, son of Abdella, king of Damascus"—the ingredients in this *confectione alkermes* are fewer and there are no pearls or ambergrease. The costly elements are "good gold," "good musk" and lapis lazuli. My copy of this work is called *Mesue Vulgare*, perhaps because it is in Italian. It bears date Venice, 1493, and must have been one of the earliest printed medical works. See K. Sprengel, II. 361-364, on "Mesue der jüngere."

<sup>2</sup>On the tendency to expensive remedies compare Howell's *Familiar Letters*, 45. "More operativ then Bezar, of more virtue then Potable Gold, or the Elixir of Amber." In Molière's *Médecin Malgré Lui*, Act. III., Scene 2, Sganarelle speaks of a medical preparation: "Oui, c'est un fromage préparé, où il entre de l'or, du corail, et des perles, et quantité des autres choses précieuses." An English confection described by Bassompierre may have been the *confectio alkermes* spoken of above: "A pie magesterial of ambergrease, pearl, musk." Bassompierre's *Embassy*, 3. The Bezoardic powder magesterial of the London *Dispensatory* contained sapphire, ruby, jacinth, emerald, pearls, unicorn's horn, Oriental and American bezoar, musk, ambergrease, bone of stag's heart, kermes and sixteen other ingredients. "I am afraid to look upon it," says Culpepper. "'Tis a great cordial to revive the Body, but it will bring the purse into a consumption."

<sup>3</sup>Gold is said by the alchemist to have its origin in the sun; it is called "the under sun" and the "earthly sun endowed by God with an incredible potency. For in it are included all vegetable, animal and mineral virtues." Potable Gold is the "tincture of the sun," and the enthusiastic Glauber talks of "partaking of the fruit of the Sun-tree." Compare Phaedro and Glauber *passim*. A large volume would not be sufficient to recount all the virtues of the powerful remedy, in Glauber's opinion. Compare the account of it in Evelyn's *Diary*, I. 271.

<sup>4</sup>Glauber, *De Auro Potabili*, 3, and Georgius Phaedro, *Vom Stein der Weisen*, 1624, 394-397.

remedy for human maladies where the recovery was not "contrary to the unfathomable counsel of God." Gold was even administered in its solid state; Arabic doctors prescribed leaf gold and it held place in several compounds. Fragments and leaves of gold were seethed with meats and the broth used to cheer the heart and raise the strength and vital spirits of invalids beyond all conception.<sup>1</sup> But the hermetic writers thought the use of leaf gold a coarse application of a metal which they were fond of styling "the lower sun." Preparations professing to be potable gold and tincture of gold were in much request and frequently administered in the seventeenth century.<sup>2</sup> On the other hand, their efficacy was warmly debated. The alchemists held that three drops, at the highest, taken in wine or beer would cure the most serious illness.<sup>3</sup> Of its nature it is more than enough for us to know that it was triplex, being vegetable, animal and mineral; it was one thing chosen out of all others, of a livid color, metallic, limpid and fluid, hot and

<sup>1</sup> Lemnius, *De Miraculis Occult. Nat.*, 1604, pp. 309, 310.

<sup>2</sup> The curious and scientific reader may follow if he can the process for making potable gold, the "True tincture of the Sun," in the various works of Glauber or in *De Via Universalis*: he may learn to get both the potable gold and the philosopher's stone by "the dry process" or by the "wet process." He may get directions for making the tincture in Glauber's *De Auri Tinctura sive Auro Potabili*, a German work with the usual Latin title, dated 1652. Or he may read the *Panaceae Hermeticae Universalis* of Johann Gerhard, 1640, and he will find the "most secret mode of compounding the Universal Medicine" in the *Arcanum Lullianum*. Then there is a rare tractate, *Vom Stein der Weisen*, written in the middle of the sixteenth century, by Phaedro von Rhodach. These and others are before me, but after some wearying of the mind with esoteric phrases, in a compound of old German and Latin I prefer to leave the question of the actual constitution of the most potent universal remedy to special investigators. Fonssagrives in the *Dictionnaire Encyclopédique des Sciences Médicales*, under the word *Or*, says that a preparation of mercury and chloride of gold constituted the so-called potable gold of the seventeenth century; I do not know on what authority. I am in some doubt whether, after all the complicated huggemugger, the alchemists got any gold in their final decoctions. According to Phaedro it was not so much gold they sought as the subtle spirit of gold that freed men and metals from impurities. Glauber, in his *De Auri Tinctura*, 1652, p. 24, took pains to explain how the true should be known from the false and sophisticated potable gold, some of which was nothing but colored water. Angelus Sala, though of the Paracelsian school, ridiculed the notion of drinkable gold and declared that fulminating gold (*Knallgold*) was the only preparation of that metal that had ever been made. Sprengel, *Geschichte der Arzneikunde*, IV. 357. It has been conjectured that some of the so-called potable gold offered for sale was merely a preparation of mercury. The two metals are allied in the fancy of the time. In *Ehralter Ritterkrieg*, Gold calls Mercury "Mein Bruder Mercurio" and yet says that mercury was the female and gold the male. Salmon's *English Physician*, p. 10, has two recipes for making tincture of gold, the one with, the other without mercury. More than one writer intimates that there is as much gold left after the essence is drawn off. "Aurum decoctione non alteritur," says Lemnius. But the mere looking at gold coins or at rings, especially if adorned with "stones and lovely gems," recreated the eyes and heart, and a man might be brought to himself when in a collapse by applying gold saffron to the region of the heart with the third finger of the left hand. Lemnius, *De Miraculis Occultis Naturae*, 309, 390.

<sup>3</sup> Phaedro von Rhodach, 443.

moist, watery and swarthy, a living oil and a living tincture, a universal stone and a water of life of wonderful efficacy.<sup>1</sup> So spoke the admiring alchemist.

John Winthrop the younger, of whom we have spoken, was a man of an eager and curious mind, fond of peering into the occult. He dabbled in alchemy as well as astrology and on his shelves were many of the latest works on potable gold. A poet of his time says of him:

"Were there a Balsam, which all wounds could cure,

'Twas in this Asculapian hand be sure."

He left a son Wait who inherited his father's fondness for prescribing, and who like his father was adept in panaceas and was believed to have golden secrets and secrets more precious than gold "unknown to Hippocrates and Helmont."<sup>2</sup> Doubtless many New Englanders were dosed by the revered Winthrops<sup>3</sup> with the true tincture of the sun, potable gold, made by marrying in some fashion the "masculine gold" to the "feminine mercury," and possessing all virtues, vegetable, animal and mineral, "destroying the Root and Seminaries of all malignant and poisonous diseases."

Weapon-ointment, sympathetic powder, potable gold were much thought of, but the authorized pharmacopoeias ignored these Gothic medicines and traced their origin to alchemists and Rosicrucians. Yet the notion of a universal antidote was in regular medicine as well. Primitive science, having no reins on the imagination, longs for perfection, seeks the universal and dreams of great discoveries. Back through a long line of medical writers we may trace the belief in the virtues of theriac and mithradate to Galen and into the cen-

<sup>1</sup> Geber, quoted in *De Via Universalis*.

<sup>2</sup> Green's *Medicine in Massachusetts*, quoting Cotton Mather.

<sup>3</sup> The library of Winthrop the younger consisted of more than a thousand volumes. The fraction of it now in the Society Library of New York is less than half. Among these is *Hercules Chymicus sive Aurum Potabile*, 1641, and *Traité de la Vraye, Unique, Grand et Universelle Médecine des Anciens, dite des Reccus, Or Potabile*, 1633. There was also Glauber's Latin treatise of 1658 on potable gold. These were new books. The revival of interest in potable gold in the seventeenth century awakened opposition. Burton in his *Anatomy of Melancholy* says: "Some take it upon them to cure all maladies by one medicine severally applied, as that panacea, Aurum potabile, so much controverted in these days." In 1403 an English statute had been passed making it a felony to "use any craft of multiplication" to increase the quantity of gold and silver; *Statutes at Large*, II. 403. Robert Boyle in the seventeenth century, in spite of his having written the *Sceptical Chemist*, thought he had discovered the forgotten secret of the fifteenth century, but he did not print his discovery. Sir Isaac Newton wrote to the Royal Society in praise of Boyle's reticence, fearing that the full disclosure of what the hermetics knew was "not to be communicated without immense damage to the world." In 1689, however, Boyle secured the repeal of the statute forbidding the making of gold. Thus did the dark shadow of medieval credulity fall still upon the most enlightened minds. Compare Chalmers's *Dictionary of Biography*, VI. 348, 349.

turies before Galen. The accepted story of its origin is that Mithradates, king of Pontus, by a series of experiments on criminals, had found out or thought he had found out what medicaments would neutralize various poisons. These he put together for a universal antidote.<sup>1</sup> Andromachus, physician to Nero, changed the constitution of the remedy somewhat by adding the flesh of the viper, probably on the principle of curing like by like. The remedy of Andromachus was the famous theriac which was so much lauded by Galen and which imposed itself even on modern times.<sup>2</sup> It was expelled from the British *Pharmacopœia* only in the middle of the eighteenth century by a bare majority of one vote in the college. It contained more than sixty ingredients and was commonly known in England as Venice treacle.<sup>3</sup> Not only all poisons but many diseases were supposed to be conquerable by this universal remedy. Numerous other preparations of viper's flesh were in use. Things poisonous were thought to contain much virtue. What theriac was used in the colonies was no doubt made abroad. In less complicated preparations the American rattlesnake was made to take the place held for thousands of years by its rival in virulence, the European viper.<sup>4</sup> The flesh of the rattlesnake was fed to the infirm, perhaps in broths, as the viper's was given for ages, and as the Scotch used the adder; his gall mixed with chalk was made into "snake balls" and given internally, his heart was dried and powdered and drunk in wine or beer to cure the venom of the snake on the ancient principle of curing by likes.<sup>5</sup> In Virginia the oil of a snake was given for gout, while in frosty New England the fat was, if we may believe Josselyn, "very sovraigne for frozen limbs . . . and sprains." The American backwoodsman of to-day perhaps unconsciously uses a substitute for the viper wine or theriacal wine of other times when he soaks the flesh of a rattlesnake in spirits to make "bitters" against rheumatism.

There was yet another universal antidote recognized in the regular medicine of the time. The bezoar or bezar stone was a concretion taken from the intestines of wild goats and other animals. That brought from the Orient was accounted most valuable. It

<sup>1</sup> Galen, *De Theriaca ad Pisonem*, and *De Antidotis Epitome*, Adams's *Paulus Aegineta*, III. 528, Maranta *De Theriaca et Mithridatio*, 1576.

<sup>2</sup> The multitudinousness of ancient compounds was perhaps a trait derived from primitive medicine. The Iroquois had a sort of theriac, a cure for all bodily injuries, made from the dry and pulverized skin of every known bird, beast and fish. Erminnie A. Smith in Powell's *Second Report of the Bureau of Ethnology*, 73.

<sup>3</sup> Comp. Adams on P. Aegineta, III. 121, Judd's *Hadley*, 361, Josselyn's *Two Voyages*, 114.

<sup>4</sup> Byrd's *Westover Papers*, 66.

<sup>5</sup> Joannes Juvenis, *De Medicamentis*, 240, and Salmon's *English Physician*, 763.

was used first in the East as an amulet; there were other remedies of olden times that served their purpose just as well when worn about the person as when taken medicinally. A "stone" found in so unusual a place excited wonder, and there grew up a mythical notion of its origin. This particular wild goat, in the opinion of the sixteenth century, indulged itself on occasion in a diet of poisonous snakes. To cool the burning produced in its stomach by this debauch the creature plunged into the water. On coming out he sought and ate of health-giving herbs, and as a result the bezoar was concreted in his vitals.<sup>1</sup> The cost of the bezoar, the "queen of poisons," was great;<sup>2</sup> "if you take too much your purse will soon complain," says a medical writer in 1661. The concretions of the "mountain goat" were the original bezoar, but any intestinal formation of the kind came to be considered bezoar. In Java the viscera of the porcupine were eagerly searched for such deposits and one of these worthless things, called a *pedro porco*, was sold for the price of pearls.<sup>3</sup> There were ruminants in Chili and Peru that yielded bezoars, which ranked second to those of the East; Mexico contributed a lower grade still.<sup>4</sup> Finding these stones valuable the shrewd Indians learned to counterfeit them, and as they were of all

<sup>1</sup> Monardes, Eng. ed., p. 3, and Acosta, Lib. IV., chap. xiii.

<sup>2</sup> Tanner's *Art of Physic*, 515.

<sup>3</sup> "In that country (Java) but very seldome there grows a Stone in the Stomach of a Porkapine, called Pedro Porco: of whose virtue there are large descriptions: and the Hollanders are now so fond, that I have seen 400 dollars of  $\frac{1}{2}$  given for one no bigger than a Pidgeon's Egg: There is sophistication as well in that as in the Bezoar, Musk, &c. and every day new falsehood." Sir P. Vernatti in Sprat's *Royal Society*, 171. There was exhibited in the University of Leyden "the horne of a goate in whosse ventricle the besar stone is found," Marmaduke Rawdon, Camden Society, p. 105. Compare the accounts of Monardes and Acosta and the discussion in Castrillo's *Magia Natural*, last chapter. Castrillo calls the bezoar "Regna de los Venenos," and says that it cured pestiferous fevers and other diseases caused by melancholy humors. Joannes Juvenis in his essay *De Medicamentis Bezoardicis*, published in Antwerp in the latter part of the sixteenth century, treats the bezoar very mystically. A disease of an occult and divine origin—*divinus et Secretus Morbus*—like the plague, exacts a medicine of a heavenly and concealed faculty, or, as he said, with a blind and hidden potency. The plague, he says, is a mysterious disease of the heart caught by inhalation from poison dispersed in the air by a malign conjunction of the planets. It requires a bezoardic remedy. Under this head he includes alexipharmical mixtures and remedies, whose supposed virtues have no rational basis, as well as amulets. He describes an amulet of gold, silver and arsenic made into the shape of a heart and worn next to that organ by Pope Adrian, and he recommends the wearing of six precious stones and some brilliant pearls in finger rings or about the neck. They are to be frequently looked on, for in them resides "the hidden bezoar" against all poisons and the plague. There is here the sense of alexipharmical in the word bezoar. Compare the citations of Adams in *Paulus Aegineta*, III. 274. Beugin's *Éléments de Chymie*, edited by Lucas de Roy, 1632, describes seven kinds of "bezoart," to wit, mineral, solar, lunar, martial, jovial, metallic and solar of Harthmannus. None of these have anything to do with the bezoar stone. The word bezoar in the sense of antidote appears to antedate the application of it to the stone.

<sup>4</sup> Castrillo, Chap. XXVI.

sizes, colors and forms, and there was no test of fineness, there were others than natives who knew how to sophisticate, so that the famous powder magisterial of bezoar often probably contained nothing of the kind. The remedy was known in the colonies: Clayton, the parson, who was in Virginia before 1690, tells of a skillful woman physician there who gave pulverized "oriental bezoar stone," in the case of a man bitten by a rattlesnake, and followed it with a decoction of dittany, the same, at least in name, as that ancient remedy which Venus applied to the wound of her son, Æneas,<sup>1</sup> and to which the wild goats, in those knowing times, resorted when the winged arrows of the hunters pierced their sides. We get a notion of the persistence of medical tradition when we find administered in Virginia an antidote<sup>2</sup> brought into Europe from the East in the Middle Ages<sup>3</sup> and an orthodox simple derived from the remotest Greek antiquity; and both of them probably without merit.

EDWARD EGGLESTON.

<sup>1</sup> *Æneid*, XII. 412.

<sup>2</sup> As the eighteenth century advanced, bezoar seems to have lost ground gradually in England. Sir Conrad Sprengell (an English writer not to be confounded with the more famous German of a later generation, Kurt Sprengel), in his comment on Celsus in 1733 says: "As some have prescribed Bezoar Stone, Lapis de Goa, Pulv. Gasc. &c. when Crab's eyes or oister shells would have done as well or better."

<sup>3</sup> Cf. *Calendar of Hatfield House MSS.*, V. 3.

## MARYLAND'S ADOPTION OF THE FEDERAL CONSTITUTION

### II.

THE Maryland convention met in Annapolis,<sup>1</sup> on Monday, April 21. It consisted of seventy-six members, of whom two never sat on account of sickness. They were both Federalists. Only three counties, Anne Arundel, Baltimore and Harford, sent Anti-Federal delegations, though a number of the Federal members voted with the minority from time to time, in a spirit of compromise. Most of the Eastern Shore delegates were absent on the first day of the convention, while some of the Baltimore and Harford County men did not arrive until Thursday, April 24.

The assembly was a representative and able one. The small Anti-Federalist minority had among its numbers two delegates to the Philadelphia Convention, Mercer and Martin; Samuel Chase, "the flame of fire" who signed the Declaration of Independence; his able kinsman, Jeremiah T. Chase; William Paca, another signer of the Declaration of Independence, and an able statesman; and William Pinkney, who became so famous as a lawyer and an orator. The Federalists were no less ably led by "Aristides," Alexander Contee Hanson, who was one of the best of Maryland lawyers; James McHenry, who was to become Washington's Secretary of War; Col. William Richardson, Robert Goldsborough, William Hemsley, Col. Edward Lloyd, and Peter Chaillé, from the Eastern Shore; and by Col. Moses Rawlings, of Revolutionary fame, Richard Potts, formerly a member of the Continental Congress, Thomas Johnson, the first governor of the state, and Thomas Sim Lee, who was one of his successors, from Western Maryland.<sup>2</sup>

<sup>1</sup>The proceedings of the convention are printed in the *Documentary History of the Constitution* (issued by the Department of State), II. 97-122. The address of the minority is printed in Elliot's *Debates on the Federal Constitution*, II. 547-556. It is entitled "A Fragment of Facts, disclosing the conduct of the Maryland Convention, on the adoption of the Federal Constitution." The address of the majority was prepared by A. C. Hanson ("Aristides") but was never published. It is in manuscript among the Madison papers in the Department of State at Washington. The Maryland Historical Society's files of the *Annapolis Gazette* for April 24 and May 1, 8, 15, 22; of the *Baltimore Gazette* for April 29, and of the *Maryland Journal* for April 29 and May 2 contain valuable information relative to the convention.

<sup>2</sup>Daniel Carroll, writing to Madison on May 28, 1788, said that the members of the convention were men of abilities and fairness of character and that Chase had said that their weight in the community was enough to carry the government.



The convention organized by the unanimous choice of George Plater of St. Mary's County as president, and by electing a clerk, assistant clerk, messenger, and door-keeper. A committee of elections was appointed, consisting of Messrs. Johnson, Barnes, J. T. Chase, Done, and Faw,<sup>1</sup> four of whom were Federalists. After resolving to sit from 9 A. M. to 3 P. M. each day, "for considering the proposed plan of Federal Government," the convention adjourned. On Tuesday, the committee of elections made a report, which was accepted, apparently without dispute. A simple code of rules was adopted. The sessions shall be open. Members must be present, within half an hour of the time of opening the sessions. The minutes of the preceding day shall be read at the beginning of each day's session. Members shall be referred to in debate by name. Questions of order shall be decided by the president without debate, but he may refer the questions to the house, which shall decide also without debate. "No member speaking shall be interrupted, but by a call to order by the President, or by a member through the President." The president shall put any motion which has been made and seconded, and either he, or any other two members, may require a motion to be reduced to writing. A member offering a motion may withdraw it, at any time before a vote is taken. Such were the simple rules, under which the convention acted.

As most of the members were now on hand and the organization was perfected, the convention settled down to serious business. The "proposed plan of Federal Government for the United States" was read the first time. Before the convention met, the Federal majority had held a caucus and agreed "that they and their constituents had enjoyed abundant leisure and opportunity for considering the proposed system of a Federal government, that it was not probable any new lights could be thrown on the subject, that (even if it were) the main question had already, in effect, been decided by the people in the respective counties, that, as each delegate was under a sacred obligation to vote conformably to the sentiments of his constituents, they ought to complete that single transaction for which they were convened, as speedily as was consistent with decorum. A prompt determination in this State, they conceived, might have a happy influence in other States and they expressed a desire that all argument in favor of an indispensable measure might be omitted. In short they esteemed nothing wanting except the mere forms of a ratification." In conformity to these ideas, every proposition to bring about discussion by parts was rejected. The

<sup>1</sup> Read Faw for Law in the list on p. 43, *supra*.

majority felt that their power was too limited and the crisis was too dangerous to permit the separate provisions of the Constitution to be considered by the convention. Virginia, where the battle was close, waited for their verdict. So, after the first reading of the Constitution, the convention resolved that it would "not enter into any Resolution upon any Particular Part of the proposed plan of Federal Government for the United States: But that the whole thereof shall be read the second time, after which the Subject may be fully debated and considered." It was "clearly understood" that on the "grand question," each member "might be free to speak, as often as he should think proper." The majority maintained that they showed no undue haste; most of the week was spent in waiting for the absent minority members, some of whom did not come until Thursday, or "in most patient attention to objections which were familiar to almost every auditor."

After the debate, it was decided, the president should "put the question that this Convention do assent to and ratify" the Constitution, on which question the yeas and nays should be taken. The convention then read the Constitution for the second time and adjourned.<sup>1</sup>

On Thursday morning, the debate began and Samuel Chase came to the convention. His presence added fresh life to the minority. On May 2, Washington wrote to Madison<sup>2</sup> that he had learned that Mr. Chase "made a display of all his eloquence. Mr. Mercer discharged his whole artillery of inflammable matter and Mr. Martin did something, I know not what, but presume with vehemence, yet no converts were made—no not one." The majority relied on their numbers and took little part in the argument. They felt that no valuable purpose could be answered by protracting the mere formality of a ratification and so "remained silent to the arguments of the minority." After Chase had spoken a while,<sup>3</sup> he

<sup>1</sup> On Tuesday, we learn from the minority's address, the following proposed rules of order had been rejected by the convention: "When a motion is made and seconded, the matter of the motion shall receive a determination by the question, or be postponed, by general consent, or the previous question, before any other motion shall be received;" and "Every question shall be entered on the journal; and the yeas and nays may be called for, by any member, on any question, and the name of the member requiring them shall be entered on the journal."

<sup>2</sup> *Writings*, XI. 259. [Mr. Ford prints "comments" in the passage next quoted; but Mr. Bancroft, *Constitution*, II. 467, has "converts," and so has the catalogue of the McGuire sale, p. 41; "converts" seems the more likely reading. Ed.]

<sup>3</sup> Bancroft, *History of the Constitution*, II. 282, quotes from Chase's MSS. notes: "The powers to be vested in the new government are deadly to the cause of liberty and should be amended before adoption. Five States can now force a concession of amendments, which, after the national government shall go into operation, could be carried only by nine."

sat down, declaring that "he was exhausted and would resume his argument on the following day."

The hour of adjournment had not come and the convention waited for some other speaker. None arose, however, and, after waiting a "competent time," the convention adjourned until after dinner, that, by another meeting on that day, "further procrastination" might be prevented. Should the minority not "proceed with their objections," the majority intended to have "the business concluded immediately." They maintained that, although it was "proper to give each member an opportunity to declare his sentiments," it "could not be expected that the whole body should await the pleasure of a few individuals."

When the convention came together again at 4:30 P. M., William Paca arrived and took his seat. He rose and said "that he had a variety of great objections to the Constitution in its present form, and that, although he did not expect amendments to be made the condition of ratification, he wished them to accompany it, as standing instructions to our representatives in Congress; that under an expectation of obtaining amendments, he might vote for the Constitution; that having just arrived, he was not ready to lay his amendments before the House, but asked for permission to prepare his propositions and, in the morning, lay them on the table for consideration of the members; that he wished the amendments to be considered before the ratification, because he did not imagine that after it the convention would remain a sufficient length of time."

The amiable Johnson arose at once and said "that the request was candid and reasonable and that the gentleman ought to be indulged. In order that nothing further might be done he moved to adjourn till the morning." This was done at once. The Federalists maintained that the adjournment was only to be taken as implying that they were willing to "give time for reflexion on Paca's proposal."

On Friday morning, Paca rose and informed the president "that, in consequence of the permission of the house given him the preceding evening, he had prepared certain amendments<sup>1</sup> which he would read in his place and then lay on the table." At this Paca was interrupted by George Gale of Somerset County, who had not been present on the preceding afternoon and who supposed Paca to be out of order. Technically he was out of order, as the question was "that this Convention do assent to and ratify the proposed Constitution." Paca remonstrated warmly against the indecency wherewith he alleged that he had been treated, but could not

<sup>1</sup> Their text is printed on pp. 223, 224, *post.*

point to any express permission to introduce amendments. One after another, members from each of eleven counties,<sup>1</sup> and from each of the two municipalities rose and declared for themselves and their colleagues that they "were under an obligation to vote for the government." The form of words varied, but the thought was the same. Several added that they were to ratify, as soon as possible, and do no other act, and that after ratification their power ceased. As to amendments, almost all declared that "they considered themselves as having no authority to propose, in behalf of their constituents, that which their constituents had never considered and concerning which their constituents could of course have given no directions." Paca's amendments having been refused, the minority continued to state their objections until Saturday afternoon. The majority were "repeatedly called on and earnestly requested to answer the objections, if not just," but they "remained inflexibly silent." They defended their silence, by saying that they were instructed to vote for the Constitution and that the minority was equally instructed to vote against it. Both were bound by their relation to their constituents and it was "hardly probable that at this late period any argument contained in a public harangue could have flashed conviction on the minds of the minority."

When the vote for ratification was taken, the house stood 63 to 11. In the negative were all the delegates from Anne Arundel, Baltimore and Harford counties, except Paca, who was true to his previously expressed purpose and voted *aye*. On Monday, the same sixty-three delegates who had voted in the affirmative, signed the following ratification: "We the Delegates of the people of the State of Maryland having fully considered the Constitution of the United States of America reported to Congress by the Convention of Deputies from the United States of America held in Philadelphia on the seventeenth Day of September in the Year Seventeen hundred and eighty seven of which the annexed is a Copy and submitted to us by a Resolution of the General Assembly of Maryland in November Session Seventeen hundred and eighty seven do for ourselves and in the Name and on the behalf of the People of this State assent to and ratify the said Constitution."

The Federalists declared that, in the convention, the "greatest Dignity as well as Decorum was exhibited. . . . The Minority was heard with candid and profound attention. Their Talents and

<sup>1</sup> Frederick, Talbot, Charles, Kent, Somerset, Prince George's, Worcester, Queen Anne's, Dorchester, Calvert, and Caroline. *Vide Annapolis Gazette*, May 8. The delegate from that city did not say that Annapolis was against amendments, but that the matter had not been submitted to the people and therefore the city delegates had no right to act in the matter.

Abilities were amply displayed and, but from the clearest Impressions of the best of Causes, they might have been more successful." The *Journal* rises to a most stupendous height of bombast: "Maryland independent in her Resources—superior by the Excellence of her political and civil Institutions to the Rage of internal Commotion—Maryland the informed, the benevolent, and the wise, who can bestow Advantages without an Equivalent but in the Consciousness of advancing Public Felicity, has opened her Bosom to the Embraces of her sister States, has erected the Seventh Pillar upon which will be reared the glorious Fabric of American Greatness, in which Fabric the Rights of Mankind will be concentrated as to their native Home. O, May the happy Moment soon arrive, when the august Temple of Freedom shall be supported by thirteen Pillars, with its gates unfolded to every Part of Creation, may its Duration be as permanent as Time and its Period engulfed only in the Bosom of Eternity."

After the vote to ratify, on Saturday afternoon, Paca rose and again proposed his amendments, declaring "that he had only given his assent to the government, under the firm persuasion and in full confidence that such amendments would be peaceably obtained, so as to enable the people to live happily under the government, that the people of the county he represented (and that he himself) would support the government with such amendments, but without them his constituents would firmly oppose it, he believed even with arms."

The majority "did not deem the proposed amendments necessary to perfect the constitution," but some of them thought that though, in their conventional capacity, they could not propose amendments in behalf of the people, they might, in their private capacities, gratify the wishes of the minority and make certain propositions to the people. "Aristides" thought this "novel distinction" between the convention, "acting in virtue of its delegated powers," and its members as a body, "acting agreeably to the common right of citizens," was a false one, but it "was admitted without reflexion," after a "short and perplexed debate." He argued that, until the convention dissolved, the members would not act nor "be supposed acting in their private character, and that any proposition to go from them as private individuals, should be made after dissolution of the body." The convention, however, did not perceive the entanglement into which they were falling and passed the following resolution, by a vote of sixty-six to seven: "Resolved that a committee be appointed to take into consideration and report to this house on Monday morning next, a draught of such amendments and alterations, as may be thought necessary in the proposed

Constitution for the United States, to be recommended to the consideration of the people of this State, if approved of by this Convention." Thirteen members were placed on the committee. Of these Thomas Johnson, Thomas Sim Lee, and Richard Potts from Frederick County, Robert Goldsborough from Dorchester, James Tilghman from Queen Anne's, Alexander C. Hanson from Annapolis, William Tilghman from Kent, James McHenry from Baltimore Town, and George Gale from Somerset were Federalists; while William Paca from Harford, and Samuel Chase, Jeremiah T. Chase and John Francis Mercer from Anne Arundel were Anti-Federalists. When we consider the small number of the minority, we perceive that they were not treated ungenerously in forming the committee. We may also note, that no heed was paid to county delegations in forming it.

Paca's proposed amendments were referred to the committee, and the convention adjourned until Monday. It seems that this plan of proposing amendments to the people was favored by some amiable Federalists like Johnson, who "imagined all opposition in Maryland would cease thereby." That Saturday evening Hanson was busy. He thought that no amendments were necessary and that the convention had been thrown into embarrassment. He saw the other Federal members of the committee and they mutually "communicated to each other their ideas and considered the necessity of accommodating themselves to a disagreeable situation, resulting from an earnest and perhaps unparalleled disposition in a great representative body to gratify and conciliate a few men opposed to the general sense of the State. They thought nothing contained in the propositions to the people should hold out any idea of the propriety of changing the Constitution in any essential part, although they might go so far as to explain it agreeably to what its friends thought was the true construction and to restrain Congress from doing, what on a true construction it has no power to do, or which if it had, its own policy would not permit it to perform. They hoped that, by going thus far, the Convention would be extricated from its embarrassment and, perhaps, the enemies of government would desist from their opposition."

On Sunday morning, the committee met and considered Paca's amendments. After two of the propositions had been approved, Hanson<sup>1</sup> said, "As they had met on a principle of conciliation, he wished, before they went further, an explanation might take place, as there had been doubts entertained from general expressions in

<sup>1</sup> He does not name himself, but I think his narrative shows clearly that he was the man.



the plan of government, which were supposed by some men to give Congress discretionary powers, and as some explanation of these might tend to quiet apprehensions, he should probably agree to such amendments, as might have that effect without endangering the Constitution, provided they should go forth as the act of private individuals and provided no others be attempted, than should be agreed to in this Committee. He wished it to be understood that he should agree to no more than the two already acceded to, except *sub modo*." No direct answer was made to this and Hanson voted against all subsequent amendments. Chase stated that "the committee ought to proceed and endeavor to agree to the amendments which the Constitution requires and that, if they could not agree, each man would be at liberty to take in the convention, or any other place, the part he might think proper." But Hanson thought it was the wish of all to report something, which all might maintain in convention. On Monday morning, the committee met again and found that they had agreed to report thirteen amendments based on Paca's, and that they had rejected fifteen more. The majority now insisted that, if they should support the thirteen amendments agreed to, "both in their public and private characters, until they should become a part of the general government," the minority should lay before the convention no amendments, "except those the Committee had so agreed to." The minority agreed to do this and to "give all their assistance to carry into execution" the new government, if the committee would add to the thirteen amendments three more, which they had previously rejected. These three amendments provided that the militia, without the consent of the state authorities, or unless selected by lot, or voluntarily enlisted, should not be marched beyond the limits of an adjoining state; that Congress might not interfere in elections of its members, unless a state should fail to provide for them; that a state might pay in a lump sum, within a limited time after the levy, direct taxes levied on its citizens. If the committee would not approve these three propositions, they desired to take the sense of the convention upon them and would hold themselves bound by the decision of that body. The committee refused to accept the three propositions, by a vote of eight to five, Johnson voting with the four Anti-Federalists.<sup>1</sup>

One of the majority, probably Hanson, had brought in to the committee an address to the convention, to be prefixed to whatever amendments might be proposed.<sup>2</sup> It stated that the authority of

<sup>1</sup> He had prepared and submitted it to the majority before the Sunday meeting.

<sup>2</sup> All these amendments are to be found in Elliot's *Debates*, II. 550-553. The three which the minority especially urged read as follows:

1. That the militia, unless selected by lot, or voluntarily enlisted, shall not be



the convention had expired with the ratification ; but, "as it is essential to the proper administration of government, that it possess the approbation of every part of the community," the members have brought in propositions, "which may tend to quiet the apprehensions of those who think additional security is needed." They hold themselves "incompetent, till there had been experience of the operation and the inconveniences, to ascertain the defects with precision and certainty and they knew not what would please their constituents." They moreover do not agree concerning the alterations, and therefore do not give a decided opinion upon any of them, but point the "serious attention and mature deliberation" of the convention to this subject. If any alterations should suit the convention, the committee wish that the former body would put them "in constitutional train to make them part of the Constitution." No one objected to an address, but Chase said that, although he objected to a part of this and it was not regular, yet it was a matter of little importance, provided it should be so worded as to give no offence and cast no reflection. After the rejection of the three propositions, which seem to have been their ultimatum, the minority objected to the address, "as no such matter had been referred." The chairman of the committee, who was Paca himself, suggested that the committee might return to the house and apply for authority, when they reported their approval of the thirteen amendments. The majority feared that this would defeat their purpose of making the propositions merely for the consideration of the people, without giving the weight of the convention's opinion in behalf of them as necessary, save for conciliation. Consequently, nothing was done in the matter.

Some of the majority now said "that, in acceding to any propositions which had been made, they had constantly kept in view the address, which was to accompany them, for the purpose of explaining that they were submitted on the principle of accommodation and with a view to quieting apprehension, and that they never once conceived amendments necessary to perfect the plan of Government and that they would not have voted for amendments to be held out in that light."

marched beyond the limits of an adjoining state, without the consent of their legislature or executive.

2. That the Congress shall have no power to alter or change the time, place, or manner of holding elections for Senators or Representatives, unless a state shall neglect to make regulations, or to execute its regulations, or shall be prevented by invasion or rebellion ; in which cases, only, Congress may interfere, until the cause be removed.

3. That, in every law of Congress imposing direct taxes, the collection thereof shall be suspended for a certain reasonable time, therein limited ; and on payment of the sum by any state, by the time appointed, such taxes shall not be collected.

The minority insisted that, "as the Committee had agreed to a number of propositions," they ought to be signed and reported. To this the majority replied, that "if any member had voted on a misconception of the footing on which the propositions were to go to the people, he should, on finding his mistake, have an opportunity of retracting and the propositions ought to be reconsidered. . . . After going through them one by one, it was proper to take a vote upon the whole together. The committee did not before seem fully to comprehend each other. On the principle of accommodation, the expedient of submitting propositions to the people might be proper, providing that an accommodation did really take place. A great deal of mischief might result if, after both sides had agreed to certain propositions on that principle, other propositions were to be made on which men would be divided. If after the committee had concluded, the convention were to go on without hesitation, to consider amendments to every part of the Constitution, nothing but confusion could follow, and it would be far preferable to abandon the scheme of accommodation and make no report." Chase then said, positively, that "he should think himself at liberty to propose to the Convention whatever he might esteem proper, in addition to the report, and to oppose anything it might contain."

While this argument was proceeding, the convention was growing impatient.<sup>1</sup> A resolution was adopted "that the Proceedings of this Convention to the Vote for assenting to and ratifying the proposed Plan of Federal Government for the United States and the Yeas and Nays be fairly engrossed, signed by the President and attested by the Clerk and Assistant Clerk, and that the President request the Governor and Council to transmit the same Proceedings, together with the ratification of the same Federal Government, subscribed by the Members of this Convention, to the United States in Congress assembled."<sup>2</sup> It is clear that this motion was passed so that any amendments, which might be reported by the committee and adopted by the convention, should not be reported to Congress, or the other states, but to the people of Maryland alone. The minority appear to have made no opposition to this motion, which agreed with the general understanding of the members.

They repeatedly called on the committee to return, and that body, finding it impossible to come to an agreement, finally rose, without a final vote being taken by the chairman. On returning to

<sup>1</sup> A motion was made but seemingly not passed "to consider of no propositions for amendment of the federal government, except such as shall be submitted to them by the Committee." Elliot's *Debates*, II. 554.

<sup>2</sup> This is why the record in *Documentary History of the Constitution* stops short of the final adjournment. *Maryland Journal*, May 2; *Gazette*, May 24, 1788.

the convention, Paca, as chairman, stated what had passed, read the thirteen amendments which had been adopted, and the three which had been the minority's ultimatum, and "assigned the reason why no report had been formally made. Though they had acceded to some of the propositions referred to them, nevertheless they could come to no agreement as to making a report."

There seems to have been some debate on the matter.<sup>1</sup> One of the majority of the committee is stated to have said: "If no amendments were referred to the people, their idea would be that the Constitution was perfect in the opinion of the Convention and, therefore, needed no amendment. The proposal to submit amendments was only admitted to conciliate the minority, but it might involve the convention from one amendment to another, not knowing where to stop. . . . They had agreed to decide on the whole Constitution, not upon its parts, and, if they agreed to a number of amendments, the opponents of the government would gain an advantage, by being able to represent that its friends admitted it needed amendments and was greatly defective."<sup>2</sup> The people of Maryland would think that the convention ought not to have ratified without condition, or previous adoption of amendment, and the federal forces in Virginia and the other close states would be weakened by this example of Maryland. The debate did not last long, however, for the majority were determined and would permit no delay. A vote of thanks to President Plater had been read once, while the committee was out, and a delegate now rose and moved to give this motion a second reading. The minority called for the previous question and asked that the yeas and nays be taken. The convention rejected both motions and passed the vote of thanks.

A motion was then carried "that the Convention adjourn without day" and the struggle was over. On this last motion, the vote was 47 to 27. The minority voted solidly against it and fifteen of the majority joined with them, but the predominance of the Federalists was so great, that they won easily, in spite of this defection. Daniel Carroll summed up the whole story in one sentence:<sup>3</sup> "Mr. Johnson's Accommodating disposition and respect to his character led the majority into a situation, out of which they found some difficulty in extricating themselves." Alexander Contee Hanson, probably, was the chief mover in the majority's final policy. The opposition was so entirely led by its able members from Anne Arundel

<sup>1</sup> *A napolis Gazette*, May 15; *Baltimore Gazette*, May 13, 1788.

<sup>2</sup> Bancroft, *History of the Constitution*, II. 282, says that McHenry wrote Washington that the amendments were adapted to injure the cause of Federalism in Virginia.

<sup>3</sup> Letter to Madison, May 28, 1788.

County, that Daniel Carroll is almost correct in writing,<sup>1</sup> that: "If the Anne Arundel election had not taken the extraordinary turn it did, I may say there would not have been a straw of opposition, perhaps adoption would have been unanimous."

There was great rejoicing in the Federal camp over Maryland's action. The friends of the Constitution hastened to inform their friends in other states.<sup>2</sup> A great illumination<sup>3</sup> and firing of cannon took place that Monday evening in Annapolis. A ball was given at the Assembly Room and a dinner at Mann's tavern, at which nearly two hundred persons were present. Thirteen cannon were fired at each of the thirteen toasts. The capital had sent to the convention the protagonist of the victorious forces<sup>4</sup> and rejoiced in their victory.<sup>5</sup> In Baltimore town, the joy was equally great.<sup>6</sup> The *Gazette* had an editorial—an unusual thing—on the ratification, warmly commending it and saying: "Thus by the assent and ratification of this State, there is now the fairest prospect that the Federal Government will be established in America." On May 1, there was a great procession through the streets. It was estimated that three thousand men were there, the trades' display was large, and in the line was Joshua Barney with the mimic ship *Federalist*. This vessel is thus described: "Being the seventh ship in the line and having weathered the most dangerous cape in the voyage, she lay to under seven sails, during the repast on Federal Hill, throwing out signals and expecting the arrival of the other six." The procession formed at Philpott's Hill, adjoining the Play-house, passed through Fell's Point and then, by way of Hanover Street, arrived at Federal Hill, where a dinner was served and thirteen toasts<sup>7</sup> drunk. At night there was an illumination and a ball.

<sup>1</sup> Letter to Madison, April 28, 1788.

<sup>2</sup> Carroll to Madison, April 28, 1788.

<sup>3</sup> The Federal members of the convention each contributed a guinea for this purpose.

<sup>4</sup> *Maryland Journal*, May 21; *Annapolis Gazette*, May 1, 1788.

<sup>5</sup> The list of toasts is interesting: 1. The United States and Congress; 2. Louis XVI. and the Friendly Powers of Europe; 3. The State of Maryland and the Present Convention; 4. The Late Federal Convention; 5. General Washington (his portrait was exhibited and received with a general burst of applause); 6. Marquis LaFayette; 7. The Memory of the Brave Officers and Soldiers who Fell in the Revolution; 8. May Agriculture, Manufactures and Commerce Flourish in the United States; 9. Success to Useful Learning and Arts and Science; 10. The Late American Army and Navy; 11. Count Rochambeau and the French Army in America; 12. May our Public Councils be Actuated by Wisdom and Patriotism; 13. May all States Join Heartily in Federal Government.

<sup>6</sup> *Gazette*, May 6, 28. *Journal*, May 6. A note in the *Journal* calls attention to the fact that the aggregate vote in the seven state conventions is 760 to 240, or two-thirds, and that the seven states which have ratified contain 1,467,000 taxable and representable inhabitants.

<sup>7</sup> The eighth was to the "Virtuous Sixty-three," who signed the ratification.

The popular interest in the celebration was such that an account of it was printed in two successive numbers of the *Journal* to supply the demand.

On May 6, four hundred people of Dorchester County<sup>1</sup> met at Cambridge, "to congratulate each other on the accession of Maryland to the new federal constitution and testify to their countrymen their approbation of the conduct of their delegates in the Convention." There were the usual firing of cannon and dinner, which was "free from riotous and disorderly disposition." In the evening, the "streets were crowded with admiring spectators" to see the illumination, the town being "in a perfect blaze with the lustre and brilliancy of the light."<sup>2</sup>

Other celebrations may have occurred, of which there is no record,<sup>3</sup> and I feel sure that the general sentiment of the people was voiced by the *Baltimore Gazette*:<sup>4</sup> "The general unanimity of the people of this State on the late important and interesting political question, together with the unanimity of our convention, is a most conclusive proof of their federalism. This agreement in sentiment was not the consequence of an hasty and partial investigation of the subject, but the result of mature deliberation. All the necessary information was had to give the general government a fair trial and in no instance has the State been less divided than in its adoption. The unanimity in the Convention suppressed the necessity of debate and upon a moderate computation has saved to the public the sum of £4000."

Outside of the state, the joy of the Federalists was equally great. In the South Carolina convention, a member rose and said he had opposed the Constitution, but would now vote for it, since the voice of Maryland had been decisive for its adoption.<sup>5</sup> Washington wrote to Madison that Maryland's decision was a thorn "in the sides of the leaders of opposition" in Virginia, and that Maryland's "very short session will, if I mistake not, render yours less tiresome."<sup>6</sup>

<sup>1</sup> *Journal*, May 16, 1788. Col. John Eccleston was president of the day.

<sup>2</sup> The thirteen toasts here were: "1. The United States; 2. Maryland and the Convention; 3. George Washington; 4. The Memory of Greene; 5. LaFayette; 6. Memory of Fallen Officers and Troops; 7. The Philadelphia Convention; 8. The Minority of Massachusetts; 9. States that have ratified; 10. A speedy and compleat ratification; 11. Farmers, Mechanics and all virtuous citizens of America; 12. Faithful and punctual Compliances with all public and private contracts; 13. May wisdom, justice and prudence direct all our councils."

<sup>3</sup> *Maryland Journal*, May 30, 1788.

<sup>4</sup> May 9, 1788.

<sup>5</sup> *Maryland Journal*, June 6, 1788.

<sup>6</sup> May 2, 1788. *Writings*, XI. 259. Apparently no member of the Maryland convention favored a consultation with Virginia prior to ratification. Bancroft's *History of the Constitution*, II. 281.

The minority of Anti-Federalists were not yet silenced. On May 6, they published in the newspapers that address to the people of Maryland,<sup>1</sup> which is reprinted in Elliot's *Debates* and is the best known record of the convention's proceedings. In this address are found the proposed amendments. These were published, that the people "may express your sense as to such alterations as you may think proper to be made in the new Constitution." The minority remain persuaded of the importance of the alterations proposed. They "consider the proposed form of national government as very defective and that the liberty and happiness of the people will be endangered, if the system be not greatly changed and altered." It is significant, however, that not one of the fifteen Federalists who voted with the minority on the final motion to adjourn, is found among the signers of this paper.

On May 9, the papers<sup>2</sup> contain the announcement that the address of the minority misstated some facts and omitted others and that an answer from the majority will soon appear. The convention came together "without any other avowed object or wish, than to adopt the constitution without delay and then retire peaceably to their homes." This address was prepared by Hanson, but was never published. By the time that it was ready, the committee was scattered and apparently it was never shown to the other members of the majority. Hanson declared that it was prepared from a draught taken from the minutes the day after the convention adjourned, by three members of the majority in the committee, and approved as true by two more of them. In the preparation of it, Hanson was delayed by sickness and, as it was never printed, it would probably have been destroyed, had not Daniel Carroll heard of Hanson's work and asked that a copy of it be sent to Madison.<sup>3</sup> This was done by Hanson, not that it might be published, but that it might be used, in "giving spirits to the friends of good government, or by discouraging its enemies, who may look for countenance and support from the people of Maryland." Virginia was in the midst of her great struggle and Hanson thought that perhaps it might be suggested there by the Anti-Federalists, "that the people of Maryland are dissatisfied and will join Virginia in a plausible scheme

<sup>1</sup> Paca signed it, and the other eleven Anti-Federalists.

<sup>2</sup> In the *Baltimore Gazette* for May 2, 9, 20 and 23, and June 6, 13 and 20 are long articles on the Constitution by "Fabius." On May 9 an Anti-Federal article is copied from a New Hampshire paper. On May 26 and 30 two Federal articles advising Virginia to ratify appear in the *Gazette*. On July 11 "Wessex" sends an Anti-Federal article. In the *Journal* for May 6, 13, and June 13 are minor articles.

<sup>3</sup> It is now among the Madison papers in the Department of State at Washington, where I consulted it. Hanson's letter is dated June 2, 1788. I desire to express my sense of gratitude to Mr. S. M. Hamilton of that Department for his courtesy.



for a second general convention to propose an entire new plan, or propose alterations." "Such a suggestion," Hanson wrote, "would be destitute of rational grounds" and the people of Maryland would "spurn at a proposition, calculated to produce so much incurable mischief." They consider "their political salvation depends" on the Constitution's success. "All that the Maryland Convention might be ashamed of, would be that it manifested a transient inclination to adopt improper means for attaining a valuable end." "It is now attacked for not exercising assumed power, agreeable to the sentiments of a small minority and contrary to the known sense of the people." The minority's address tries to give the public an "idea that the convention were studious to conceal the conduct of the delegates from the people of the several counties, that they precluded themselves from the means of information, and ratified the proposed plan with indecent and fatal precipitation." The committee on amendments are accused of "deceiving the minority, effecting a premature dissolution of the body, and abandoning the dearest rights of their constituents to an arbitrary power." The purpose of the minority's address is to "persuade the people that the proceedings of the convention are not conclusive or binding."

In his reply, Hanson had tried not to "agitate the great question already determined," first by the people in the counties and second by their representatives, "chosen and convened for that express and only purpose"; but rather to free the majority "from gross and unwarrantable interpretation of their conduct." The majority may not wilfully misrepresent, but they make certain slight mistakes and omit material circumstances. Hanson's account is of great value and has been used freely in this paper.

That the Anti-Federalists tried to induce the people to consider the convention's ratification as not final<sup>1</sup> is seen in a long article in the *Journal* of May 16, signed "Republican." He asserts that the "common class" of people knew little of the Constitution. The two thousand copies of that document printed by order of the Assembly were too few to go far. The Annapolis paper is of small circulation, and the two Baltimore ones are never seen on the Eastern Shore, while the severe weather during the past winter prevented any newspapers from being sent over thither. Of the 25,000 voters<sup>2</sup> in the state, only 6000 voted at the election, and 4000 of

<sup>1</sup> Daniel Carroll writes to Madison, May 28, that the minority were trying to get signers to a memorial to the Virginia Convention, that Luther Martin said in his "tavern harangues that more than twenty members of the Convention favored King's government," and that Mercer maligns Daniel Carroll and "tergiversates." He regrets Johnson's falling away from the majority.

<sup>2</sup> He says *viva voce* vote is preferred to ballot by Maryland's constitution.



these votes were cast in Baltimore town and seven of the counties. The rich and wealthy worked for the Constitution to prevent the loss of their debts and, in some counties, the opposition had named no candidates. But as proof that the ratification is not final, he alleges that two successive general assemblies must authorize the adoption of the Federal Constitution, as it alters the state constitution and so must be passed in the same manner as any other amendment. In pursuance of this thought, he urges the people to choose, as delegates to the coming legislature, men opposed to the adoption of the Constitution, as they will vote to amend it. The Federalists had already taken up this matter and were especially active in trying to defeat Chase in Baltimore town.<sup>1</sup> His defenders used the curious argument that, when elected by Federalists in Baltimore, he would be bound to support Federal measures, as he had been to support Anti-Federal measures, when elected by Anti-Federal votes in Anne Arundel County.

The Federalists did not fail to answer the claim that the ratification was not final. The opposition had tried to show that the framers of the Constitution were "vile conspirators,"<sup>2</sup> to have the ratification in different form from that proposed at Philadelphia, and to have the convention propose amendments. Foiled in all these purposes, they clutch at a straw. Maryland *has* accepted all changes in her state constitution, by the convention's ratification. The Federalists point out that, as the other states have different provisions for amending their constitutions, an acceptance of the Anti-Federalist contention would delay the going into effect of the Constitution for four years or so.

The struggle was decided by the election for delegates, in which the Federalists won a decided victory. The presidential electors and the United States Senators chosen were Federalists, and the people of Maryland showed that they intended their ratification of the Constitution to be final. The mutterings of discontent gradually disappeared. The Anti-Federalists welcomed the proposals<sup>3</sup> to publish the proceedings of the convention, since these would show how rashly the majority acted; but, apparently, the pamphlet never appeared and popular interest in the subject died away. The news of South Carolina's ratification was greeted in Baltimore town by firing of cannon on Federal Hill and a dinner at Mrs. Grant's, and

<sup>1</sup> *Maryland Journal*, May 9, June 10; *Gazette*, May 23, 27, June 20

<sup>2</sup> *Journal*, May 20. The *Gazette*, June 3, says that the changes from the Confederation to the Constitution are in the direction of centralization and cites the omission of the names of states from the preamble as proof of this.

<sup>3</sup> *Baltimore Gazette*, June 3, 27; *Journal*, May 23. The price was to be 8/4; the reporter was Mr. Lloyd.

the same procedure was followed,<sup>1</sup> with the addition of fireworks, when news came that the success of the Constitution was assured by New Hampshire's and Virginia's ratification.<sup>1</sup> As Maryland had begun under Hanson's able leadership, so she continued. Federal feeling was long active there, and the party organization and name were preserved in the state for years after they were discarded elsewhere. The Whig party next included the men with national feelings, and was long dominant in Maryland; and when the dark days of impending disruption came, the state remained faithful to the Union. The foundation of her national spirit was deeply laid.

BERNARD C. STEINER.

WILLIAM PACA'S PROPOSED AMENDMENTS.<sup>2</sup>

That it be declared that all Persons entrusted with the Legislative or Executive Powers of Government are the Trustees and Servants of the Public and as such accountable for their Conduct.

Wherefore, whenever the Ends of Government are perverted and public Liberty manifestly endangered and all other Means of Redress are ineffectual, the People may, and of right ought, to object to, reform the old, or establish a new Government—That the Doctrine of Non-resistance against arbitrary Power and Oppression is absurd, slavish and destructive of the Good and Happiness of Mankind—That it be declared, That every Man hath a right to petition the Legislature, for the Redress of Grievances, in a peaceable and orderly Manner—That in all criminal Prosecutions every Man hath a Right to be informed of the Accusation, to have a Copy of the Indictment or charge in due Time (if required) to prepare for his Defense, to be allowed Council, to be confronted with the Witness against him, to have Process for his Witnesses, to examine the Witnesses for and against him on Oath, and to a speedy trial by an impartial Jury.

That no Freeman ought to be taken, or imprisoned, or deprived of his Freehold, Liberties and Privileges, or outlawed or exiled, or in any manner destroyed or deprived of his Life, Liberty, or Property, but by the lawful Judgment of his Peers, or by the Law of the Land. That no Power of Suspending Laws, or the Execution of Laws, unless derived from the Legislature, ought to be exercised or allowed.

That all Warrants, without Oath, or Affirmation of a Person conscientiously scrupulous of taking an Oath, to search suspected Places, to seize any Person, or his Property, are grievous and oppressive; and all general Warrants, to search suspected Places, or to apprehend any Person suspected, without describing the Place or Person in special, are dangerous and ought not to be granted.

That there be no Appeal to the Supreme Court of Congress in a Criminal Case. Congress shall have no Power to alter or change the

<sup>1</sup> *Gazette*, June 3, July 1.

<sup>2</sup> *Maryland Journal*, April 29, 1788.

Regulations respecting the Times, Places or Manner of holding Elections for Senators or Representatives.

All Imports and Duties laid by Congress, shall be placed to the Credit of the State in which the same shall be collected, and shall be deducted out of such State's Quota of the Common or general Expences of Government. No Member of Congress shall be eligible to any Office of Trust or Profit under Congress during the Time for which he shall be chosen.

That there be no National Religion established by Law but that all Persons be equally entitled to Protection in their religious Liberty.

That Congress shall not lay direct Taxes on Land or other Property without a previous Requisition of the respective Quotas of the States and a failing within a Limited Time to comply therewith.

In all cases of Trespasses, Torts, Abuses of Power, personal Wrongs and Injuries done on Land or within the Body of a County the Party Injured shall be entitled to Trial by Jury, in the State where the Offence shall be committed; and the State Courts in such cases shall have concurrent Jurisdiction with the Federal Courts; and there shall be no Appeal, excepting on Matters of Law.

That the Supreme Federal Court shall not admit of Fictions, to extend its Jurisdiction; nor shall Citizens of the same State, having Controversies with each other be suffered to make collusive Assignments of their Rights, to Citizens of another State for the Purpose of defeating the Jurisdiction of the State Courts; nor shall any Matter or Question already determined in the State Courts, be revived or agitated in the Federal Courts; that there be no Appeal from Law or Fact to the Supreme Court where the Claim or Demand does not exceed Three Hundred Pounds Sterling. That no standing Army shall be kept up in Time of Peace unless with the Consent of Three Fourths of the Members of each Branch of Congress: Nor shall Soldiers in Time of Peace be Quartered upon private Houses, without the Consent of the Owners.

No Law of Congress or Treaties shall be effectual to repeal or abrogate the Constitutions or Bills of Rights of the States or any of them or any part of the said Constitutions or Bills of Rights.

[Militia not to be subject to the Rules of Congress nor marched out of the State without consent of the Legislature of such State.

That Congress have no Power to lay a Poll Tax.

That the People have a Right to Freedom of Speech, of writing and publishing their Sentiments and therefore that the Freedom of the Press ought not to be restrained and the Printing Presses ought to be free to examine the Proceedings of Government, and the Conduct of its Officers.

That Congress shall exercise no Power but what is expressly delegated by this Constitution.

That the President shall not command the Army, in Person, without the Consent of Congress.

## CONTEMPORARY OPINION OF THE VIRGINIA AND KENTUCKY RESOLUTIONS

### II.

THE trial of Abijah Adams<sup>1</sup> was conducted by Chief-Justice Dana and lasted through three entire days, the jury rendering its verdict on the morning of the fourth day.<sup>2</sup> Sullivan, the attorney-general, presented the case of the Commonwealth. The prosecution<sup>3</sup> as he presented it "had no connection with the Sedition Act of Congress," but was "under the common law of the State." The articles set forth in the indictment were libels against the General Court of Massachusetts, for "the common law of the country, which was common reason, prohibited such outrages" albeit there was no statute defining libels upon the government. In support of this doctrine the attorney-general argued that the offense described in the indictment was indictable by the common law of England. To obviate the objection that such an action would be an infringement of the freedom of the press, Blackstone's definition, that liberty of the press meant only freedom from restraint prior to publication, was appealed to as authoritative. If the offense charged in the indictment was libellous by the common law of England, the conclusion that it was punishable in Massachusetts was easily reached. The first settlers in Massachusetts brought that doctrine to America with them as a part of the common law.

For the defense, Messrs. Whitman and George Blake presented three lines of argument: 1. The defendant, being merely employed in the office of the *Chronicle*, was not the real culprit, if there be one; 2. The matter set forth in the indictment was not libellous; 3. Under the constitution of Massachusetts no indictment can be maintained for a libel against the government of the state. Two of these lines of argument possess great interest. The second shows incidentally the opinions of leading Massachusetts Republicans in regard to the constitutional doctrines of the Virginia and Kentucky Resolutions, as expressed in a carefully considered argument before

<sup>1</sup> In the following account of the trial the elaborate argument, published in the *Chronicle* from April 11 to May 2, 1799, is followed unless some other authority is cited.

<sup>2</sup> *Massachusetts Mercury*, March 8, 1799; *Columbian Centinel*, March 6, 1799.

<sup>3</sup> *Massachusetts Mercury*, March 8, 1799.

the highest court of the state. The third places in a clear light the extreme doctrines which Federalist judges of 1799 held in theory and sought to put into practice against Republicans who had sufficient courage to proclaim openly their political convictions.

In developing the second line of argument the attorneys for the defense pointed out that the articles upon which the indictment was based could not be regarded as libellous, except by a process of inference and deduction. If these articles contained the charge that the members of the legislature were guilty of treason, it was only as a conclusion, deduced or inferred from certain constitutional principles. The charge of treason was, therefore, not an impeachment of the individual members of the legislature, but of their principles. Even supposing it a reflection upon the legislature and entirely unwarranted, it was only an expression of opinion, and no man should be punished for mere error in opinion, especially if expressed in connection with the premise from which it was drawn.

Realizing, apparently, that about the only reply that could be made to this argument was to assert that the conclusion was wanton and arbitrary because it had no necessary connection with the premise, the attorneys for the defense proceeded to argue that the conclusion was a fair deduction from the premise. Their argument upon this head began with the assertion that since the formation of the federal government no question "had been the cause of more dissension, than the precise extent of the freedom, sovereignty and independence of the States." Citing the controversy over the suability of the states as an evidence that the line between state and federal sovereignty was not yet sharply drawn, they further contended that for the present case it was not necessary to consider the question whether a state legislature had authority to decide upon the constitutionality of any act of Congress, but only to indicate that in some cases "the existence of such authority would not only be manifest, but the necessity of its existence clear and indispensable." In evidence of this proposition, which is in effect almost the doctrine of the Virginia and Kentucky Resolutions, a hypothetical case was cited wherein the reserved rights of the states would indubitably be violated by a law of Congress; in such a case the state legislatures could not be better employed than in protesting, since a protest might lead Congress to repeal its act. Exactly what would happen in case Congress failed to heed the protest, the attorneys did not indicate. Upon that point they were content to remark, that it was admitted that the state legislatures were not the constitutional tribunals for determining the validity of federal laws "in any other cases than those in which their own sovereignty or power are directly or im-

mediately involved." Even in such cases their decisions were not to be regarded as binding upon the federal government. Having thus reached the point at which all state-sovereignty arguments fail, the matter was not pushed to any definite conclusion. No way out of the dilemma was suggested; but the failure of the logic did not prevent further argument intended to prove that the states must possess the right "to maintain within their respective limits all powers, rights and liberties appertaining to them." Summing up the whole matter of the reasonableness of the conclusion from the given premise, the attorneys for the defense said: "On the whole, whatever may be the merits of the question, there appears to be some little force in the sentiment contained in the Virginia Resolutions: 'that in cases of a deliberate, palpable, and dangerous exercise of other powers, not granted by the said compact, the states, who are parties thereto, have the right and are in duty bound, to interpose, for arresting the progress of the evil, and for maintaining within their respective limits, the authorities, rights and liberties appertaining to them.'"

The second line of argument having shown that the leading Republican newspaper of New England and two of the most prominent Republican lawyers of Boston accepted all or nearly all of the constitutional doctrines of the Virginia and Kentucky Resolutions, we may turn to the third line of argument to learn how the Federalist chief-justice defined liberty of the press for Republican newspapers. The defense maintained that under the constitution of Massachusetts there could be no such thing as a libel upon the government of the state. Admitting that the English practice had been correctly stated they contended that the same rule did not prevail in Massachusetts. The whole body of the common law of England had not been adopted in Massachusetts; an exception had been made by the constitution of such parts as are "repugnant to the rights and liberties contained in this constitution." The question whether the English common-law rule was repugnant to the constitution was a fair problem for the court and the jury. To assist the court and the jury in determining that problem the defense made the point that no statute had been made by either the colony or the province for punishing such libels, denying also that the cases cited by the attorney-general were in point. Making the further admission, for the sake of argument, that the English rule had prevailed in Massachusetts prior to the Revolution, the defense urged that the events of the Revolutionary period had effected a change in the common law upon the subject of libels against the government. Blackstone's definition, that liberty of the press consists only of free-

dom from restraint prior to publication, was unsuited to the spirit of American institutions. As a better definition of liberty of the press the defense offered to read a passage from John Adams's *Canon and Feudal Law*.<sup>1</sup> This definition the chief-justice refused to hear, finding excuse that it was published anonymously, that "it was unusual and improper to submit any matter to the jury unsupported by regular authority," and that speculative productions, written at a period of disorder and commotion, "however respectable and illustrious the author," should not be admitted.

After the refusal of the chief-justice to listen to any definition of liberty of the press other than that which obtained in England, one would like to know in what terms he defined that subject to the jury. Presumably he adopted the English rule without material qualification, for a verdict of guilty was rendered in accordance with that principle. The prisoner was sentenced to thirty days' imprisonment, payment of the costs of his trial, and to make a recognition in the sum of five hundred dollars to keep the peace and maintain a good behavior for one year.<sup>2</sup> Before sending the prisoner away to jail the chief-justice seized the occasion to deliver a long harangue, in the course of which he declared himself emphatically upon what he called "the monstrous positions" of the Virginia and Kentucky Resolutions.<sup>3</sup>

The imprisonment of Abijah Adams was the most flagrant but not the only instance of the persecution of Massachusetts Republicans for their attitude against the reply to Virginia and Kentucky. Both of the Republican legislative leaders suffered much annoyance at the hands of Federalist zealots. The incidents, though trivial in themselves, are interesting for the light which they throw upon the methods by which the Federalist leaders retained their control over Massachusetts. Bacon, the Republican senator who had unaided opposed the passage of the reply, was held up to ridicule in the Federalist press as the Solitary Nay, a character altogether too contemptible for punishment.<sup>4</sup> Being defeated for re-election to the Senate, Bacon offered himself as a candidate for the House in the town of Stockbridge. A few days before the election a communication appeared in the *Centinel*,<sup>5</sup> professing to recount an incident in Bacon's early life which the voters of Stockbridge ought to be in-

<sup>1</sup> This passage is in John Adams, *Works*, III. 456-459.

<sup>2</sup> Manuscript records of the Massachusetts Supreme Judicial Court, Vol. 1799, folio 183, No. 8191. The costs amounted to at least thirty-two dollars and thirty-one cents.

<sup>3</sup> *Columbian Centinel*, March 30, 1799.

<sup>4</sup> *Columbian Centinel*, April 27, 1799. This article was copied by nearly all the Federalist papers of the state.

<sup>5</sup> April 27, 1799.



formed of. According to this correspondent, Bacon while minister of the Old South Church in Boston in pre-Revolutionary days had owned two slaves, a husband and wife. Though Bacon had received them into his church-fellowship, when he perceived the likelihood of his losing them by action of the state he sold the husband, who was transported from Massachusetts, never to see his wife again. "This," says the correspondent, "is the man who stands for liberty and equality." Bacon had no difficulty in proving the story false,<sup>1</sup> but the *Centinel* took no notice of that fact.

Dr. Aaron Hill, the Republican leader in the House, lived in Cambridge. One night not long after the end of the session of the General Court, a Federalist mob, composed, the *Chronicle* insinuates, of students from Harvard College, manifested their disapprobation of Dr. Hill's course upon the reply to Virginia and Kentucky by shattering the windows and casements in his house. This outrage, however, redounded to the confusion of the Federalists. When the election for members of the General Court came on, about a month later, the Federalists made Hill and his course upon the reply to Virginia and Kentucky the issue at the largest town-meeting Cambridge had ever known. Hill was returned by three majority, enough Federalists casting their votes in his favor on account of the outrage to secure his election.<sup>2</sup>

It is plain, then, that both the Federalists and the Republicans of Massachusetts took the same general attitude toward the protest and remedy of the Virginia and Kentucky Resolutions as did the members of their respective parties in the Middle States. The Federalists manifested an utterly imperious and intolerant demeanor towards their Republican opponents. The imprisonment of Adams indicates that the Federalists were ready upon the slightest provocation to treat opposition to the policy of the administration, whether federal or state, as a crime. That case certainly does much to explain why Jefferson and other Republican leaders could fear that republican institutions were about to be overthrown.

The Rhode Island newspapers furnished their readers with no original thoughts upon the Virginia and Kentucky Resolutions and with but little information about the manner in which the legislature of the state handled them. The legislature met at East Greenwich on February 18, and nearly all that can be learned of their proceedings for the entire session is that before adjourning on March 9 two sets of resolutions were passed in reply to Virginia and Kentucky.

<sup>1</sup> *The Western Star* (Stockbridge), May 20, 1799. A. A. S. This was a Federalist paper.

<sup>2</sup> *Columbian Centinel*, May 8, 1799; *Chronicle*, April 11, 1799.

\* These replies are identical, except in the matter of dates and names, and the vote upon them, unanimous in the Senate and lacking but one of unanimity in the House, would indicate that there was no debate.<sup>1</sup> The brevity of the replies, according to the *Providence Journal*, is due to the fact that other states having entered fully into the reasons for dissenting from Virginia and Kentucky nothing was thought necessary but "an expression of opinion, and of a few general principles on which that opinion was founded."<sup>2</sup>

In Connecticut the newspapers printed so many documents and articles bearing upon the Virginia and Kentucky Resolutions that their readers must have become quite familiar with them. But among these articles I have been able to find no original discussions and but very little about the action of the state legislature upon the resolutions. While the legislature was in session none of the Connecticut papers published any accounts of its proceedings; after it had adjourned, the *Connecticut Courant* had a long account, evidently written by a member.<sup>3</sup> This article, copied by all the other papers, constituted their only account of legislative affairs. One paragraph in this article contains all that can be learned about the replies to Virginia and Kentucky, save what is shown by the documents themselves.

Opposition to these replies was expected by the Federalists, for there were some fifteen or sixteen "Jacobins" in the House, though some of these were "half-way characters." But the answers met with no resistance, most of the Republicans absenting themselves during the vote. The reply to Virginia<sup>4</sup> passed both houses unanimously, while that to Kentucky encountered but two negative votes in the House and none in the Senate. The reply to Kentucky<sup>5</sup> declares that attempts to form a combination of state legislatures for the purpose of controlling the policy of the federal government are foreign to the duties of state legislatures, contrary to the principles of the Constitution, and calculated to introduce anarchy by menacing the existence of the Union. But were the assembly permitted to pass upon the measures of the federal government, it would pronounce the Alien and Sedition Laws constitutional and meriting its entire approbation. In this reply, as also in that to Virginia, the Federalist members of the Connecticut assembly expressed their dissent to both the protest and the remedy of the

<sup>1</sup> *The Newport Mercury*, March 5, 1799. H. U. *Acts and Resolves*, February session, 1799, pp. 17, 18; Elliot's *Debates*, ed. 1836, IV. 558.

<sup>2</sup> March 6, 1799. H. U.

<sup>3</sup> June 6, 1799. A. A. S.

<sup>4</sup> Elliot, IV. 564.

<sup>5</sup> *Infra*, pp. 247, 248.

Virginia and Kentucky Resolutions, while the Republicans by their absence showed that they could not accept it entire.

New Hampshire, as regards the Virginia and Kentucky Resolutions, was the banner state of Federalism. The Federalist newspapers there added little if anything to the discussion of the principles involved, but their comments show a determined front. The *Federal Miscellany*, of Exeter,<sup>1</sup> accepting the Virginia Resolutions as a threat to arm the militia of Virginia against the federal government, retorted that an allusion to force was improper in a discussion upon matters of government, but Virginia will find her sister states "as able in the field as in the cabinet."

When the resolutions of Virginia and Kentucky reached Governor Gilman the winter session of the legislature was over and, in consequence, the legislative reply of New Hampshire was delayed until June. On the fifth of that month Governor Gilman submitted the resolutions to the legislature, remarking that they appeared to him "of a very extraordinary nature," but that delicacy towards sister states prevented him from making any observations upon them.<sup>2</sup> But the legislature evidently did not share in the governor's feeling on the point of delicacy, for it promptly and decisively expressed its observations in very blunt fashion. One reply,<sup>3</sup> addressed to both Virginia and Kentucky, sufficed for the declaration that if the legislature of New Hampshire "for mere speculative purposes" were to express an opinion it would be that the Alien and Sedition Laws were constitutional and "highly expedient"; and that the state legislatures were not the proper tribunals to decide upon the constitutionality of laws enacted by the federal government, that duty being "properly and exclusively confined to the judicial department." This reply, an emphatic demurrer to both the protest and remedy of the Virginia and Kentucky Resolutions, was passed unanimously by both houses. None of the New Hampshire newspapers give any accounts of the proceedings of the legislature upon this reply and, in consequence, I am unable to offer a satisfactory explanation of the unanimity. The attitude of the Republicans elsewhere warrants the conclusion that the Republicans of New Hampshire could not have entirely endorsed the reply to Virginia and Kentucky. Being few in number, probably they absented themselves, as in Connecticut, or remained silent.

Of the replying states Vermont was the most tardy. Its General Assembly did not meet until October 10, 1799, but the spirit of Vermont Federalism, as connected with the Virginia and Ken-

<sup>1</sup> February 13, 1799. H. U.

<sup>2</sup> *Courier of New Hampshire*, June 15, 1799. H. U.

<sup>3</sup> Elliot, IV. 564-565.

tucky Resolutions, manifested itself earlier. In May there was a rumor that Matthew Lyon, the leader of the Vermont Republicans, who was then serving out a sentence under the Sedition Law, contemplated removal to Kentucky. This announcement led to a characteristic paragraph in a Federalist paper published at Vergennes.<sup>1</sup>

"The passage of the great beast [Lyon] and his whelps to that land of paddyism (Kentucky) would be a curious spectacle for the northern and middle states. To drain this state of one thousand families of *his followers* might be a clear saving of as many halts to this Commonwealth, as well as much expense to towns in providing for the poor, taking up vagrants, would save the girdling of orchards, and still leave the state as much good order, morality and piety as though no such departure had ever happened! Such an addition to Kentucky must be very interesting, and give new support to future resolutions in their legislature."

When the legislature met, Governor Tichenor submitted the resolutions, observing that, as other states had treated them to "severe comment" or "marked contempt," he had not the slightest hesitation in predicting that the Vermont legislature would express its disapprobation of them in a marked degree. The legislature, in reply, told the governor to be assured that the resolutions would be considered and given the treatment which they merited.<sup>2</sup> On October 14 the assembly requested the governor and council to join them a week later for the purpose of considering the resolutions of Virginia and Kentucky.<sup>3</sup> The invitation was accepted, and three meetings in grand committee were held upon the subject.<sup>4</sup> At the first of these meetings a sub-committee of five were appointed to formulate suitable replies; these were reported at the third meeting and accepted by the grand committee.<sup>5</sup> Subsequently the Council and the assembly adopted the replies separately: in the Council both were adopted unanimously; in the assembly the reply to Virginia received 104 votes against 52, that to Kentucky 101 to 50.<sup>6</sup>

The reply to Virginia<sup>7</sup> was decisive and, considering its brevity, remarkably comprehensive. The reply to Kentucky,<sup>8</sup> on the other

<sup>1</sup> Reprinted by the *Albany Centinel*, May 17, 1799. H. U.

<sup>2</sup> *Records of the Governor and Council of Vermont*, IV. 512-513.

<sup>3</sup> Extract from the Journal of the Assembly given in the *Records of the Governor and Council of Vermont*, IV. 228.

<sup>4</sup> *Records of the Governor and Council of Vermont*, IV. 231, 233, 240.

<sup>5</sup> Extract from the Journal of the Assembly given in the *Records of the Governor and Council of Vermont*, IV. 526.

<sup>6</sup> *Records of the Governor and Council of Vermont*, IV. 242, 529.

<sup>7</sup> Elliot, IV. 565.

<sup>8</sup> *Records*, IV. 526-529.

hand, is long and elaborate, deserving to rank in importance with that of Massachusetts. It is not, like the reply of Massachusetts, a consideration of the general principles involved, but takes up the resolutions of Kentucky one after another and makes reply to them. The fundamental principles of the resolutions of Kentucky contained in the opening declaration are thus epitomized: "That the states constituted the general government, and that each state as party to the compact, has an equal right to judge for itself as well of the infractions of the Constitution, as of the mode and measure of redress." The entire contemporary discussion of the Virginia and Kentucky Resolutions brought out no more significant comment than the answer of Vermont to the doctrine of Kentucky. "This cannot be true. The old confederation, it is true, was formed by the state Legislatures, but the present Constitution of the United States was derived from an higher authority. The people of the United States formed the federal constitution, and not the states, or their Legislatures. And although each state is authorized to propose amendments, yet there is a wide difference between proposing amendments to the constitution, and assuming, or inviting, a power to dictate and control the General Government." This brief reply of Vermont is the only one in all of the answers made by the states which, like the first resolution of Kentucky and the third of Virginia, goes directly to the fundamental question, the nature of the federal union. The declaration of Vermont, properly understood, is not free from all ambiguity on the subject. It does not declare so decisively as to admit of no doubt that the legislature of Vermont thought of the Constitution as ratified by the people of the United States acting *en masse*, instead of as states. But it leans strongly in that direction and absolutely denies the correctness of the conclusion drawn by Kentucky from the opposite premise.

The second resolution of Kentucky pronounced the Alien and Sedition Laws "altogether void and of no force" as contrary to the principles of the Constitution, Amendment X. declaring "that the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or the people." To this Vermont rejoined that Kentucky misconstrued and misapplied the amendment, but that even if one adopted the construction which Kentucky put upon that amendment, its conclusion was not warranted. Under that conclusion all the acts of Congress would be brought in review before the state legislatures, while the Constitution of the United States provides that "Congress shall have power to make all laws which shall be proper for carrying into execution the government of the United States."

The third and fourth resolutions of Kentucky were disposed of in the reply of Vermont in a manner which was doubtless entirely satisfactory to the Federalists of the state, but which will not commend itself to candid and unbiassed minds. Kentucky had asserted that the Alien and Sedition Laws were unconstitutional because they infringed upon the reserved rights of the states. Vermont, while purporting to reply to the argument of Kentucky, shifted the ground from the operation of the laws upon the reserved rights of the states to their operation upon the rights of individuals. Thus ignoring the real question, Vermont argued that the Sedition Law was constitutional because a similar law was constitutional in Vermont and the Alien Law also because aliens have no rights under the Constitution.

The remainder of the reply is not so important. The sophistry of the fifth Kentucky resolution was correctly declared and the particular feature of the Alien Act which Kentucky had denounced in its sixth resolution was defended. One omission should be noted. Kentucky in its seventh resolution had made a remarkably cogent argument against a latitudinarian construction of the general-welfare clause of the Constitution. This resolution was the only one to which Vermont failed to reply. The concluding words of Vermont are important as evidence of the spirit in which its reply to Kentucky was framed. Kentucky had remarked in the course of its argument, "that confidence is everywhere the parent of despotism." To this Vermont rejoined in a general declaration which carried with it a concrete application. "The experience of ages evinces the reverse is true, and that jealousy is the meanest passion of narrow minds, and tends to despotism; and that honesty always begets confidence, while those who are dishonest themselves, are most apt to suspect others."

Upon replies so interesting as those of Vermont it is much to be regretted that we have not a full report of the discussion, particularly as the vote in the assembly indicates that there was strong opposition to their adoption. But information is not wholly lacking; on the last day of the session thirty-three members entered upon the journal of the assembly a statement of the reasons for their votes against the replies.<sup>1</sup> From this statement we learn that the reply to Virginia as reported by the sub-committee denied to the state legislatures even the right to deliberate upon the constitutionality of federal legislation, but that this extreme doctrine was stricken out upon the motion of a majority member. The minority objected to

<sup>1</sup> For the text of their statement see pp. 249-252, *post*. A summary and extract are given in *Records*, IV. 529.



the replies because they regarded the Alien and Sedition Laws as both inexpedient and unconstitutional. Unfortunately the statement does not make equally plain the attitude of the minority regarding the other important feature of the Virginia and Kentucky Resolutions, namely, their doctrine of the proper remedy for unconstitutional federal legislation. The minority declared that they could not assent to the view advanced by the majority, that the Virginia and Kentucky remedy was an unconstitutional assumption of power not belonging to the state legislatures. Without stating explicitly its own theory the minority alluded to itself as "advocating the power of each state to decide on the constitutionality of some laws of the union;" this right it limited to laws which "infringe on the powers reserved to the states, by the tenth article of the amendments to the constitution." Nothing was said to indicate the manner in which this right was to be exercised, and an express disclaimer was entered against "an intent to justify an opposition, in any manner or form whatever, to the operation of any act of the union." Such opposition would be "rebellion, punishable by the courts of the United States." From these somewhat contradictory declarations the only conclusion which we are warranted in drawing is that the Vermont Republicans agreed in part at least with their Virginia and Kentucky brethren upon the remedy for unconstitutional federal legislation. Upon a yet more fundamental point, the nature of the federal union, their agreement was complete; the Vermont minority declared "that the states individually, compose one of the parties to the federal compact or constitution."

None of the states south of Virginia sent replies and but little can be learned about the cause of their failure to do so. The legislature of North Carolina was in session when the Kentucky Resolutions reached that state but adjourned before those of Virginia arrived. The Kentucky resolutions were laid before it, but the few notices of its action upon them are so ambiguously phrased that the precise action taken cannot be ascertained. In the Senate the Kentucky Resolutions were certainly read and laid upon the table, where they were permitted to remain without any definite action upon them.<sup>1</sup> About the same time the resolutions were sent to the House, but whether that body endorsed them and sent them to the Senate or took into account the action of the Senate and took no action itself cannot be ascertained.<sup>2</sup> The fact that there was a Republican majority in the lower house and that it passed a resolution calling upon Congress to repeal the Alien and Sedition Laws

<sup>1</sup> *Albany Centinel*, January 22, 1799. H. U.

<sup>2</sup> *Ibid.*



would point to the former course as the more probable. The few notices which I have been able to collect regarding the session of this legislature in the fall of 1799 make no mention of any action upon either set of resolutions.

In South Carolina the legislature adjourned on December 21,<sup>1</sup> too early to have received either set of resolutions. Before it met again in November of 1799 the papers of the state had made the people familiar with the resolutions. On November 28, Governor Rutledge submitted both sets of resolutions to the legislature, but made no comments upon them.<sup>2</sup> Within five days of the end of the session the legislature had taken no action upon them, but beyond that point I am unable to trace the course of legislative proceedings in South Carolina. After the legislature had adjourned the *Aurora*<sup>3</sup> contained an item stating on the authority of a member of the legislature that the session was so short that it left no time for action in the matter, but had any action been taken it would have been favorable. Making allowance for the bias of the *Aurora*, we may conclude that probably the South Carolina legislature failed to act upon the resolutions of Virginia and Kentucky because it sympathized with the protest against the Alien and Sedition Laws but scarcely knew its own mind upon the matter of the remedy.

About the state of public opinion in Georgia and Tennessee even less can be learned than of the Carolinas. The legislature of Georgia was in session in February 1799 and certainly took no formal action expressing disapproval of the resolutions. One item, to be found in many Northern papers, states that the legislature postponed consideration of the resolutions for one session.<sup>4</sup> Although this is not verified by other items, I am inclined to think that it is correct. At the next session, I can find no mention of any action in the matter, though the notices of the proceedings of the legislature are quite complete. Probably no action was taken. For Tennessee nothing can be said except that its legislature sent no reply to Virginia and Kentucky. Various items appeared in the Northern papers purporting to relate what action Tennessee had taken, but they are conflicting and none of them bear any marks of credibility.

From the detailed study which has preceded, the following general conclusions seem warranted :

1. North of the Potomac the Federalists, being in a majority in every state, secured emphatic expressions of disapproval for the Virginia and Kentucky Resolutions, either by legislative replies or

<sup>1</sup> *Carolina Gazette*, *passim*. Wisc. H. S.

<sup>2</sup> *City Gazette and Daily Advertiser* (Charleston), December 10, 1799. H. U.

<sup>3</sup> January 30, 1800. H. U. The sessional *Acts and Resolves* give no evidence of action.

<sup>4</sup> *The Political Focus* (Leominster, Mass.), April 11, 1799. H. U.

other legislative action intended to be even more emphatic than a formal reply. South of the Potomac, where the Republican strength was rapidly rising, it had not yet been sufficiently consolidated to secure expressions of approval for even a portion of the resolutions; but it was strong enough to prevent any formal disapproval of them, as in the North.

2. The replies, formulated everywhere by the Federalists, declare the Alien and Sedition Laws both expedient and constitutional, thus constituting a most emphatic counter-protest to the protesting feature of the Virginia and Kentucky Resolutions. The replies further assert, as regards the remedy hinted at by Virginia and Kentucky, that the states have no right to pass upon the constitutionality of laws enacted by Congress; and nearly all of them, in terms more or less direct, point to the federal judiciary as the proper authority to decide upon the constitutionality of federal laws.

3. The entire reasoning of both the Virginia and the Kentucky Resolutions of 1798 was grounded upon the assertion, plainly expressed in each set of resolutions, that the Union was the result of a compact to which the states were parties. This fundamental doctrine received no attention in any of the replies or the discussions over them, so far as the latter have been preserved, except in the reply of Vermont to Kentucky. It is probable that this assertion of Virginia and Kentucky was more generally accepted in 1799 than it was later; and it is certain that neither the Republican who asserted it nor the Federalist who denied it had any adequate conception of the results to which a logical development of the doctrine would lead.

4. The Republicans, wherever their attitude can be learned, fully endorsed the protesting features of the Virginia and Kentucky Resolutions and accepted in part the reasoning upon which the remedy was grounded, though few went to the full extent of the Virginia and Kentucky doctrines.

When the Kentucky legislature sent forth its resolutions the excitement in that state did not entirely cease. George Nicholas, who with Breckenridge had been the leader of the movement in Kentucky, published a pamphlet early in January 1799 for the purpose of putting the case of Kentucky in proper light. It bore the title *A Letter from George Nicholas of Kentucky to His Friend in Virginia*, and though dated three days prior to the passage of the Kentucky resolutions was really a defense of them. Nicholas denied most emphatically that the people of Kentucky contemplated separating from the Union,<sup>1</sup> and asserted that there need be no fear

<sup>1</sup> Pp. 21-24. H U.

of improper opposition to the federal laws on the part of Kentucky. The laws of which Kentucky complained were of two sorts: one kind was constitutional, but impolitic; the other was unconstitutional and impolitic. The former Kentucky would remonstrate against, but would obey promptly as long as they remained in force. Although the latter might be treated as dead letters, "yet we contemplate no means of opposition, even to these unconstitutional acts, but an appeal to the *real laws* of our country."<sup>1</sup>

This letter by George Nicholas brought out a rejoinder, which was issued at Cincinnati by a writer who signed himself, "An Inhabitant of the North-Western Territory."<sup>2</sup> After a most elaborate defense of the whole policy of the federal administration, this writer called upon unprejudiced men to read the resolutions of Clark County, those of other counties throughout the state, and especially the resolutions of the Kentucky legislature, and then to say whether all these did not tend directly towards securing a dissolution of the Union. In fact Kentucky had refused obedience to the federal laws and so far as it could do so it had dissolved the Union.<sup>3</sup> Then taking up Nicholas's classification of the objectionable laws, the writer argued that the only right of a state legislature touching either class of laws was the right of remonstrance. The second might be brought before the supreme federal judiciary, which is the constituted authority for determining such matters.<sup>4</sup>

Aside from what can be learned from these two pamphlets, little can now be ascertained about the attitude of the people of Kentucky prior to the meeting of the legislature in November, 1799. But the pamphlets, both of which appear to have been well known in the state, are sufficient to show that the feature of the resolutions of 1798 upon which the people of Kentucky had not already expressed their opinions was clearly put before them. Knowing this we may conclude that the legislature elected that fall represented the deliberate opinion of the people of Kentucky upon the remedy hinted in the resolutions of the previous year.

In Virginia the questions raised by the resolutions of 1798 were constantly before the people until after the elections of 1800. Copies of the resolutions and of the address prepared by the legislature to accompany them were sent to each county in the state. To counteract the effect of the address the Federalist minority in

<sup>1</sup> P. 31.

<sup>2</sup> *Observations on a Letter from George Nicholas of Kentucky to his friend in Virginia*. By an inhabitant of the North-Western Territory. Cincinnati, February 14, 1799. H. U.

<sup>3</sup> P. 29.

<sup>4</sup> Pp. 37-39.

the legislature issued a protest.<sup>1</sup> This protest is said to have been written by John Marshall, but it contains little in reply to the remedial doctrines of the Virginia resolutions. The main object of the protest, as its title indicates, was to demonstrate the constitutionality of the Alien and Sedition Laws. Throughout the state the address of the legislature and the protest of the minority were variously received, according to the political sympathies uppermost in the community. In Greenbrier County the court of justices tore the copies of the legislative address into pieces and trampled them under foot;<sup>2</sup> Fairfax County returned its copies to the governor,<sup>3</sup> while Norfolk borough<sup>4</sup> and Pittsylvania County<sup>5</sup> adopted resolutions against the action taken by the legislature. In the Republican counties the address of the legislature was publicly read and the copies distributed to those in attendance upon the court.

The Federalist campaign against the resolutions of 1798 began at once and was never permitted to lag. The circulation of the minority protest was followed up by copying from the Federalist papers outside of the state nearly all that was said or done against the resolutions of the legislature.<sup>6</sup> As the elections approached appeal after appeal to redeem the state went forth from the Federalist leaders. In nearly all of these appeals the resolutions of the preceding year are directly or indirectly made the issue for the decision of the people.

The most elaborate of these appeals was a pamphlet of fifty-six pages, issued as early as February by a citizen of Westmoreland County, who signed himself "Plain Truth."<sup>7</sup> After setting forth the advantages of the Union and the evils which would certainly result from dismemberment, Plain Truth maintained that union was possible only under the existing government. This premise he followed up by a consideration of certain measures which he thought indicated a desire on the part of their promoters to bring about disunion. These measures were, of course, the Virginia Resolutions of 1798. In considering these measures Plain Truth went directly to the fundamental proposition of the third Virginia resolu-

<sup>1</sup> *The Address of the Minority in the Virginia Legislature to the People of that State, containing a Vindication of the Constitutionality of the Alien and Sedition Laws.* Pamphlet, H. U.

<sup>2</sup> *Columbian Mirror* (Alexandria), April 23, 1799. H. U.

<sup>3</sup> *Massachusetts Spy*, April 17, 1799. A. A. S. *Calendar of Virginia State Papers*, IX. 14.

<sup>4</sup> *Calendar of Virginia State Papers*, IX. 20.

<sup>5</sup> *The Virginia Federalist*, September 14, 1799. A. A. S.

<sup>6</sup> A good example of this class of articles will be found in one copied by the *Windham Herald*, April 12, 1799, from the *Virginia Federalist*.

<sup>7</sup> *Plain Truth: Addressed to the People of Virginia.* B. A.

tion, that the Union was the result of a compact to which the states were parties. "This assertion," said Plain Truth, "is believed to be untrue in fact, and dangerous in principle. The paper from which the powers of the federal government *result*, and which is termed by the resolutions, a *compact*, is the constitution of the United States. To this constitution the state governments are not parties in any greater degree than the general government itself. They are in some respects the agents for carrying it into execution, and so are the Legislature and Executive of the Union; but they are not parties to the instrument, they did not form or adopt it, nor did they create or regulate its powers. They were incapable of either. The people, and the people only were competent to these important objects."<sup>1</sup> In support of this doctrine, Plain Truth argued that the states were parties to the old confederation, but that the present federal Constitution was formed to remedy that defect and "was proposed, not to the different state governments, but to the people for their consideration and adoption." As evidence of this difference between the confederation and the present federal union, he cited the language of the preamble of the Constitution. "The Constitution was in truth what it professes to be—entirely the act of the people themselves. It derives no portion of its obligation from the state governments. It was sanctioned by the people themselves, assembled in their different states in convention. They acted in their original, and not in their political character."<sup>2</sup> Having shown to his satisfaction that the people were the parties to the Constitution, Plain Truth made his point against the resolutions of Virginia by demanding, "Why are the *people* excluded from our view, and *states* substituted in their places?" The motive which inspired the legislature to make this claim for the states, Plain Truth argued, was a desire to arrogate to itself power which properly belonged to the people.<sup>3</sup> This argument of Plain Truth's was, of course, an unfair one, since it was based on a mistaken reading of the third Virginia resolution. Plain Truth treated the term *states* in the resolutions as if it was synonymous with the term *state governments*, whereas in the resolutions the term *states* means the people of each state. The treatment by Plain Truth of the fundamental doctrine of the third Virginia resolution is none the less instructive because it is fallacious. It shows plainly that the issue of national or state sovereignty, as raised by the Virginia Resolutions, was not overlooked in the Virginia campaign following their adoption. It indicates that the idea of state sovereignty was plainly put before the people of Virginia for their endorsement or rejection,

<sup>1</sup> P. 19.<sup>2</sup> P. 20.<sup>3</sup> P. 20.

though the details of the doctrine were not so clearly formulated as later.

The pamphlet by Plain Truth is, perhaps, as good an illustration as could be chosen to exemplify the character of the arguments used by the Federalists against the Virginia Resolutions. Almost all of the Federalist appeals were grounded upon the declaration that the Republicans were seeking a dissolution of the Union, a charge which the Republicans as earnestly denied.<sup>1</sup> In their zeal against Republicans the federalists did not distinguish between opposition to the policy of the federal administration and resistance to the federal government. That doughty old warrior, Daniel Morgan, issued an appeal to his fellow-citizens: "My God! can it be possible! that a body, supposed to be collected from the wisdom and virtue of the State, convened to deliberate for its honor and advantage, and to coöperate with the General Government in maintaining the independence, union, and constitution thereof, against foreign influence and intrigue, should so far lose sight of that object as to attempt to foment divisions, create alarms, paralyze the measures of defense, and, in short, render abortive every prudent and wise exertion? Had an angel predicted this some years ago, it would not have gained belief—yet it is too evident now to need testimony. Attempts have been made to separate us from our government; they are daily making; and I am sorry to say, with too much success. Again I say, my fellow-citizens, support our government, do not support in your elections anyone who is not friendly thereto."<sup>2</sup>

The Republicans throughout the campaign were upon the defensive. In the main they were content to deny any knowledge of a desire for disunion, to inveigh against the Alien and Sedition Laws, and to point to the resolutions of the legislature as a conclusive answer to all the Federalist attacks.<sup>3</sup> Incidentally in the course of these arguments the remedial features of the Virginia Resolutions, the one portion of them which had not been passed upon by the people the preceding year, received much attention.

The result of the elections in 1799 was a decided triumph for the Republicans, the slight gain made by the Federalists being not at all commensurate with the exertions which they put forth. Under the circumstances this result indicated that the people of Virginia upon second consideration approved of their own verdict of the preceding year regarding the constitutionality and expediency of the Alien and Sedition Laws and also of the remedy for those laws which their legislature had formulated.

<sup>1</sup> *The Virginia Argus*, April 12, 1799. A. A. S.

<sup>2</sup> *Columbian Mirror*, April 18, 1799. H. U.

<sup>3</sup> *The Examiner* (Richmond), March 29, 1799. H. U.



When the Virginia legislature met, the replies of the other states were referred to a committee, of which Madison was chairman. The report of that committee,<sup>1</sup> since known as Madison's *Report*, after carefully considering each of the resolutions of the preceding year, recommended a reaffirmation of them. This action was taken after the counter-resolutions offered by the Federalist minority had been voted down by a vote of ninety-eight to fifty-seven. The vote may be regarded as a fair approximation to the division of public opinion in Virginia.

The resolutions offered by the minority argued against the report of Madison's committee in its defence of both the protesting and the remedial features of the Virginia Resolutions of 1798.<sup>2</sup> But one peculiar feature of the minority resolutions is worthy of attention here. As has been already remarked more than once in the course of this article, the argument for the remedy hinted at in the Virginia Resolutions was grounded upon the doctrine that the states were parties to the compact which resulted in the federal union. Madison in his argument for the resolution which contained this doctrine was forced to consider the meaning of the term states. The conclusion arrived at was that the term *states* in the resolutions meant "the people composing those political societies, in their highest sovereign capacity."<sup>3</sup> Thus, according to Madison's further reasoning, the people of each state instead of the people of the United States *en masse*, were the parties to the Constitution. In the counter-resolutions offered by the Federalists this interpretation of the parties to the Constitution is accepted entirely. The conclusion which the Federalists drew from this premise, as applied to the particular question then at hand, was quite different from that drawn by Madison, but the agreement between them is significant, for it shows that many of the Federalists as well as the Republicans accepted the fundamental doctrine of state sovereignty.

Intrinsically the Kentucky Resolutions of 1799 and Madison's *Report* are equally important with the resolutions of 1798, or more so. In view of this fact it is much to be regretted that we know little as to what was thought of them outside of Virginia and Kentucky. The resolutions were widely copied, appearing in nearly all of the leading newspapers, but in nearly every instance that I have found, they appeared in the same issue with the announcement of the death of Washington. Sorrow so completely filled the public mind and the newspapers were so much taken up with details of his death, his

<sup>1</sup> Elliot's *Debates*, IV. 572 (Washington ed. 1836).

<sup>2</sup> *Proceedings of the Virginia Assembly on the Answers of Sundry States to their Resolutions*, 1800. Pamphlet, H. U. Pp. 100-102.

<sup>3</sup> Elliot's *Debates*, IV. 573 (Washington ed. 1836).



funeral, and the local commemorations, that the Kentucky Resolutions were overlooked. The resolutions of 1799 were not officially communicated to the other states and did not directly demand an answer. In form they were a solemn protest and in that light they seem to have been regarded. All the Federalist newspapers which made any comment upon them treated them as mere reiteration of those of the preceding year, failing to perceive that there was an important difference between the two sets.<sup>1</sup>

In Virginia, Madison's *Report* was greeted by the Republicans as a conclusive reply to the answers of the states and a complete vindication of the Virginia Resolutions.<sup>2</sup> It was widely circulated, and according to the Richmond *Examiner*, was of much service to the Republican cause in the elections held in the spring of 1800.<sup>3</sup> In New England the *Report* appears to have been little known. I have not been able to find any newspaper taking particular notice of it, or even giving it enough attention to enable its readers to obtain an idea of the arguments contained in the *Report*. The newspapers of the Middle States appear not to have given it more attention than those of New England, but there is some little evidence to show that it was quite well known in New York and Pennsylvania. An edition of it was published at Albany,<sup>4</sup> and Alexander Addison published at Philadelphia an elaborate reply to it.<sup>5</sup> In this reply Addison repeated with approval the reasoning of Madison, that the word *states* is equivalent to the expression *the people of each state*. From this premise he concluded, "It appearing then, that the people of the several states are the parties to the compact in the constitution, it will not follow that because the *parties* to a compact must be the judges whether it has been violated, the Legislatures of each state are the judges whether the constitution has been violated." Madison's argument would be true only upon the supposition that the state legislatures were the parties to the Constitution.<sup>6</sup> Addison does not seem to have perceived that his argument pushed a step further would have established the principle, that the people of Virginia, acting in their highest sovereign capacity, would have

<sup>1</sup> For examples see the *Salem Gazette*, December 27, 1799 (H. U.); the *Massachusetts Spy*, January 1, 1800 (A. A. S.); *Albany Centinel*, December 24, 1799 (H. U.); the *Spectator* (N. Y.), December 18, 1799 (H. U.); *Massachusetts Mercury*, December 24, 1799; *Kennebec Intelligencer*, January 18, 1800 (H. U.).

<sup>2</sup> *The Press* (Richmond), January 31, 1800. A. A. S.

<sup>3</sup> April 29, 1800.

<sup>4</sup> There is a copy of this edition in the Boston Public Library.

<sup>5</sup> *Analysis of the Report of the Committee of the Virginia Assembly, on the Proceedings of Sundry of the other States in Answer to their Resolutions*. By Alexander Addison. Philadelphia, 1800. Pamphlet, B. A.

<sup>6</sup> Pp. 6-8.

the right to judge for themselves whether the constitutional compact had been violated. Addison was concerned only to prove that the remedy hinted at by the third Virginia resolution and Madison's defense of it were incorrect. In this he succeeded beyond all question, but at the same time he unwittingly supplied one piece of conclusive evidence that many of the Federalists saw nothing out of the way in agreeing with their Republican opponents in the fundamental doctrine of the Virginia and Kentucky Resolutions, that the Union is the result of a compact to which the states are the parties.

It only remains to add a few words upon one important question. How far were the Virginia and Kentucky Resolutions influential in determining the presidential election of 1800? It has been often asserted that the principles of these resolutions were accepted by the American people in that election. Unless one can show by documentary evidence, as I have tried to do for the discussions of 1799, that these resolutions were discussed in the campaign of 1800 and their principles clearly made an issue, this amounts to nothing more than assertion. I have not been able to find any such documentary evidence. Invective against the Alien and Sedition Laws can be found in great plenty, but of direct allusions to the Virginia and Kentucky Resolutions or to their constitutional doctrines, I can find outside of Virginia only the very little that has been indicated in the two preceding paragraphs. From this evidence I am forced to conclude that the verdict of 1800, while a conclusive endorsement of the protest of the Virginia and Kentucky Resolutions, was not, so far as can be shown, an endorsement of either the remedy hinted at or the principles upon which it was founded. In a word, the remedy and its principles were not an issue in that campaign.

FRANK MALOY ANDERSON.

#### APPENDIX.

For contemporary opinion of the Resolutions of 1798, Elliot's *Debates* (IV. 558-565), contains only the replies sent by six state legislatures and the Senate of New York to Virginia. The collection fails to represent adequately even the opinion of the state legislatures, since it does not include the replies sent to Kentucky and the resolutions which in several states were adopted by one or both houses of the legislature but not officially transmitted to Virginia and Kentucky. So far as I know no attempt has ever yet been made to supply the omissions in Elliot's collection. The following constitute all of the necessary supplement which I have been able to

find, except the replies of the Rhode Island and Vermont legislatures to Kentucky; the former is identical with its reply to Virginia, save in the matter of name and date; the latter has already been published in the *Records of the Governor of the State of Vermont*, IV. 526-529. All of the legislative documents following, except C, are printed from certified copies of the legislative journals.

A. REPLIES TO THE KENTUCKY RESOLUTIONS OF 1798.

*Report concurred in by the Maryland House of Delegates, December 28, 1798.*

The committee to whom were referred the resolutions of the legislature of Kentucky report, that they have taken the same under their consideration, and are of opinion that the said resolutions contain sentiments and opinions unwarranted by the Constitution of the United States, and the several acts of congress to which they refer; that said resolutions are highly improper, and ought not to be acceded to by the legislature of this state. (*Report of the Votes and Proceedings of the House of Delegates of the State of Maryland at November Session, 1798.*)

*Resolutions of the House of Representatives of Pennsylvania, adopted February 9, 1799.*

*Resolved*, That in the opinion of this House the people of the United States have vested in their President and Congress, as well the right and power of determining on the intent and construction of the constitution, as on the ordinary subjects of legislation, and the defence of the Union; and have committed to the supreme judiciary of the nation the high authority of ultimately and conclusively deciding upon the constitutionality of all legislative acts. The constitution does not contemplate, as vested or residing in the Legislatures of the several states, any right or power of declaring that any act of the general government "is not law, but is altogether void, and of no effect;" and this House considers such declaration as a revolutionary measure, destructive of the purest principles of our State and national compacts.

That it is with deep concern this House observes, in any section of our country, a disposition so hostile to her peace and dignity, as that which appears to have dictated the resolutions of the Legislature of Kentucky. Questions of so much delicacy and magnitude might have been agitated in a manner more conformable to the character of an enlightened people, flourishing under a government adopted by themselves, and administered by the men of their choice.

That this House view, as particularly inauspicious to the general principles of liberty and good government, the formal declaration by a legislative body, "that confidence is every where the parent of despotism, and that free governments are founded in jealousy." The prevalence of such an opinion cuts asunder all the endearing relations in life, and renews, in the field of science and amity, the savage scenes of darker ages. Governments truly republican and free are eminently founded on opinion and confidence; their execution is committed to representatives, selected by voluntary preference, and exalted by a knowledge of their virtues and their talents. No portion of the people can assume the province of the

whole, nor resist the expression of its combined will. This House therefore protests against principles, calculated only to check the spirit of confidence, and overwhelm with dismay the lovers of peace, liberty and order.

That this House consider the laws of the United States, which are the subjects of so much complaint, as just rules of civil conduct, and as component parts of a system of defence against the aggressions of a nation, aiming at the dominion of the world—conducting her attacks more by the arts of intrigue, than by her skill in arms—never striking, until she has deeply wounded or destroyed the confidence of a people in their government—and, in fact, subduing more by the infamous aids of seduction, than by the strength of her numerous legions. The sedition and alien acts this House conceive contain nothing terrifying, but to the flagitious and designing. Under the former, no criminality can be inferred or punishment inflicted, but for writing, printing, uttering, or publishing false, scandalous and malicious aspersions against the government, either House of Congress, or the President of the United States, with an intent to defame and bring them into contempt. Under the latter, the citizens of the United States have not any thing more to fear, inasmuch as its operation will only remove foreigners, whose views and conduct are inimical to a government, instituted only for the protection and benefit of the citizens of the United States, and others, whose quiet and submission give them some claim to the blessing. Yet these laws are subjects of loud complaint. But this House forbears an examination into the cause, and only expresses its surprise that such an opposition to them exists! Our country's dearest interest demands every where unanimity and harmony in her councils, and this House is unable to discover any means more favourable to those important objects, than confidence in the wise and honest labours of those, in whose hands is reposed the sacred charge of preserving her peace and independence. The voice of the greater number the constitution declares shall pronounce the national will; but in the opinion of this House the provision is vain, unless it be followed by the unfeigned and practical acquiescence of the minor part. Loud and concerted appeals to the passions of the community are calculated to produce discussions more boisterous than wise, and effects more violent than useful. Our prayer therefore is, that our country may be saved from foreign war and domestic strife.

That it is the opinion of this House, that it ought not to concur in the design of the resolutions of the Legislature of Kentucky.

On motion of Mr. Kelly, seconded by Mr. Strickler,

*Resolved*, That the foregoing resolution be signed by the Speaker, and that the Governor be requested to transmit the same to the Governor of Kentucky. (*Journal of the House of Representatives of the Commonwealth of Pennsylvania*, Vol. IX., Philadelphia, 1799, pp. 198–200.)

#### *Resolutions of the Delaware Legislature.*

Resolved by the Senate and House of Representatives of the State of Delaware, That the resolutions from the State of Kentucky are a very unjustifiable interference with the General Government and Constituted Authorities of the United States, and of dangerous tendency, and therefore not a fit subject for the further consideration of this General Assembly.

Resolved That the above resolution be Signed by the Speaker of the Senate, and by the Speaker of the House of Representatives, and that the Governor of this State be requested to forward the same to the Governor

of the State of Kentucky. (*Journal of the Senate*, session begun January 1, 1799, p. 43. Text differing slightly from that given by Elliot.)

The following is an extract from the message of Governor Daniel Rogers of Delaware, submitted to the General Assembly of the State on January 7, 1799. It was not known to me at the time of publication of the previous article.

You will also herewith receive other resolutions of a very different tendency, transmitted to me by his Excellency the Governor of the State of Kentucky. These resolutions seem to me, both by their language and object, to assume a form extremely hostile to the peace and happiness of the United States. According to my understanding, the Legislature of that State undertake to exercise a power not vested in them, but which is expressly delegated to another tribunal. If the laws of which they complain are unconstitutional, it belongs to the Judiciary, and not to any Legislature to declare them to be so. As well may the Legislature of Kentucky or of any other State decide upon all and every other law of Congress. And if a measure of this kind is to be resorted to on every occasion, when a law becomes disagreeable to a particular State, however necessary it may be for the good of the whole, the Constitution, which was a "result of a spirit of amity and of mutual deference and concession" will soon become a shield to the fractious and discontented, and instead of promoting "the lasting welfare of our country" will involve us in disputes which may finally terminate in our utter ruin. It is expressly declared in the fourth article "that the Constitution and the laws of the United States, which shall be made in pursuance thereof, shall be the supreme law of the land," and in the third article "that the Judicial power shall extend to all cases in Law and Equity, arising under the Constitution and the laws of the United States, etc."

Hence it is evident that there is a proper authority to decide upon every Act of Congress, without the interference of the Legislature of any State, and that it is as unconstitutional in a Legislature to assume a Judicial Power as it would be in Congress to enact a law not warranted by the Constitution. (*Journal of the Senate*.)

*Resolutions of the Connecticut General Assembly.*

Resolved that the attempt to form a combination of the Legislatures of the several states for the avowed purpose of controuling the measures of the Government is foreign to the duties of the State Legislatures; Hostile to the existence of our national Union, and opposed to the principles of the Constitution; with these impressions this Assembly doth deeply regret that a spirit should Exist in the Legislature of any State capable of dictating Resolutions like those now under consideration; Resolutions calculated to subvert the Constitution and to introduce discord and anarchy. were this Assembly permitted to decide on the Measures of the General Government, they would declare the Acts against which the aforesaid Resolutions are particularly aimed, strictly Constitutional, but it is sufficient to remark that the administration of the Government meets their entire approbation, and that the Alien, and Sedition Acts, are wisely calculated among others, to establish Justice, insure domestic tranquility, provide for the common defence, promote the General welfare, and secure the blessings of Liberty to themselves, and their posterity And therefore this Assembly doth refuse to concur with

the Legislature of Kentucky in promoting any of the Objects attempted by the aforesaid Resolutions ;

And it is further Resolved That the Secretary of this State transmit a Copy of the foregoing Resolution to the Secretary of the State of Kentucky with a request that the same be communicated to the Legislature of said State. (MS. Records of the State of Connecticut, Vol. VI., 1797-1801, Session of May, 1799, p. 31.)

#### B. REPLIES TO THE VIRGINIA RESOLUTIONS OF 1798.

*Report concurred in and Resolution adopted by the Maryland House of Delegates, January 16, 1799, and by the Senate, January 19, 1799.*

The Committee to whom were referred the resolutions from the legislature of Virginia, respecting the alien and sedition laws passed at the last session of congress, report, that they have had the same under their most serious consideration, and after mature deliberation declare it as their decided opinion, that no state government, by a legislative act, is competent to declare an act of the federal government unconstitutional and void, it being an improper interference with that jurisdiction, which is exclusively vested in the courts of the United States ; independently of the above consideration, your committee, viewing the present crisis of affairs, believe it incumbent on them to express their opinion, that a recommendation to repeal the alien and sedition laws would be unwise and impolitic ; they therefore submit to the house the propriety of adopting the following resolution :

*Resolved*, That the general assembly of Maryland highly disapprove of the sentiments and opinions contained in the resolutions of the legislature of Virginia, inasmuch as they contain the unwarrantable doctrine of the competency of a state government, by a legislative act, to declare an act of the federal government unconstitutional and void, and as they contain a request for our co-operation with them in obtaining a repeal of laws, which, at this crisis, we believe are wise and politic. (*Report of the Votes and Proceedings of the House of Delegates of the State of Maryland at November Session, 1798.*)

*Resolution adopted by the House of Representatives of Pennsylvania, March 11, 1799.*

Resolved, That as it is the opinion of this House that the principles contained in the resolutions of the Legislature of Virginia, relative to certain measures of the general government, are calculated to excite unwarrantable discontents, and to destroy the very existence of our government, they ought to be, and are hereby, rejected. (*Journal of the House of Representatives of the Commonwealth of Pennsylvania*, Vol. IX., Philadelphia, 1799, p. 289.)

#### C. REPLY TO BOTH THE VIRGINIA AND THE KENTUCKY RESOLUTIONS OF 1798.

*Reply of the New York House of Representatives.*

Whereas it appears to this House, that the right of deciding on the constitutionality of all laws passed by the Congress of the United States,



appertains to the judiciary department—And whereas the assumption of that right is unwarrantable, and has a direct tendency to destroy the independence of the General Government—And whereas this House disclaims the power which is assumed in and by the Legislatures of the States of Kentucky and Virginia of the sixteenth of November and the twenty-fourth of December last of questioning in a legislative capacity either the expediency or constitutionality therein referred to : therefore

Resolved, That the Committee of the whole House be discharged from any further consideration of the message of his excellency the Governor of the twelfth day of January last, and the said resolutions which accompany the same. (*Albany Centinel*, February 19, 1799. H. U.).

#### D. PROTEST OF THE VERMONT MINORITY.

*Tuesday, the 5th of November, 1799. 9 o'clock, A. M.*

Mr. Hay laid before the House a statement of the reasons which influenced the minority, in the votes for passing the resolutions in answer to the resolutions of the states of Virginia and Kentucky, which were read as followeth, to wit.

We, the undersigned, being a part of the fifty, who refused their assent to the acceptance of the reports, recommended by the grand committee of the Legislature to this House, on the Virginia and Kentucky resolutions, respecting the acts commonly known by the titles of the "alien and sedition bill," do assign the following, as some of the reasons which occasioned our dissent.

*Because*, although we zealously urged at an early period of the session, and again earnestly solicited, when this important business was last before us, that all the official papers which had been presented to the House on this subject, be printed for the use of the members, previous to their entering into argument, or deciding on the question, this very reasonable request was refused, as will appear from the Journals. Notwithstanding which refusal, the report of this House, on the Kentucky resolutions, commences with declaring "*That we have MATURELY considered them.*"

*Because*, therefore, impressed with an opinion, that truth never shuns the light, and that sound argument never evades investigation, we could not believe that these resolutions, had time and opportunity been afforded for freely comparing each article with the others, would [have] appeared to the House, fraught with all the bad consequences attributed to them, in the two separate reports addressed to the Legislatures of these states.

*Because*, without going into an investigation of the constitutionality of what is generally termed the "Sedition Bill," we have ever been of an opinion, with that much and deservedly respected statesman, Mr. Marshal, (whose abilities and integrity have been doubted by no party, and whose spirited and patriotic defence of his country's rights, has been universally admired) that "it was calculated to create *unnecessarily*, discords and jealousies, at a time, when our very existence as a nation may depend on our union."

*Because*, the "Alien Bill," as it is generally termed, grants to the President a power unknown to, and inconsistent with the general features of the constitution of the United States, through the whole whereof is displayed the divine principles of *mildness, freedom, and liberality.*



*Because likewise*, at the time it was passed, it could not refer to alien *enemies*, and must therefore, of course, involve alien *friends* in all the disastrous consequences, which may arise from this excess of power, unprecedented, we believe, on any similar occasion, in a free government.

It would here be improper to neglect observing, that it was but eleven days after this act passed, before another was enacted, which respected alien enemies, against which last act, the breath of discontent has never been known to be uttered.

*Because*, by the ninth section of the constitution of the United States, it is declared, "The *migration* or importation of such persons, as any of the states now existing shall think proper to admit, shall not be prohibited by Congress, prior to the year eighteen hundred and eight, but a tax or duty may be imposed on such *importation*, not exceeding ten dollars for each persons."

MIGRATION is an appropriate term, and we hesitate not to affirm, constantly implies a freedom of will in the person migrating, and is therefore contra-distinguished from importation, which must have had respect to slaves only; which distinction is clearly evinced to have been contemplated, in the above section of the constitution, for in the latter part thereof it is declared, "that a tax or duty, may be imposed by Congress, on the importation of such persons," while it is perfectly silent as to that tax, on the migration of persons.

*Because*, by this law, alien *friends*, and the President is empowered, it is true, *not to interdict their landing*, but to banish them as soon as he shall think proper, after they are landed, and inflict that severe punishment, without their being heard—without even the color of trial—without the pretence of their having committed any crime, except that very extraordinary one of being suspected—without, in short, assigning any reason why he does so. By which power, the intention of that part of the constitution, as far as it respects the migration of persons, though still in force, may absolutely and completely be defeated; and we therefore should esteem ourselves highly deficient in the duty we owe to our constituents—unfaithful to the sacred trust reposed in us by them—unmindful of the solemn oath we have taken, "Not to do, or consent to any act or thing whatever, that shall have a tendency to lessen, or abridge the rights and privileges of the people, as declared by the constitution of this state," were we to refrain from expressing our decided opinion that the act granting this power, is an undisguised breach of the constitution of the United States, because it deprives the states individually, of a privilege, which we think, clearly remains vested in each of them, by the first article of the ninth section of the constitution, compared with the twelfth article of the amendments thereto.

*Because*, in addition to the above reasons, we maintain a lively sense of the admonition of our darling, our beloved WASHINGTON, who, in his farewell address to the militia, on the western insurrection, proclaims this fact, and his opinion thereon, with a warmth worthy his truly patriotic bosom, that "The dispensation of justice, against offenders, belongs to civil magistrates, and let it ever be our pride and our glory, to keep the sacred deposit there inviolated."

*Because*, we conceive that some of the expressions in the reports alluded to, are highly objectionable, of which we shall only mention two. In the report on the Virginia resolutions, is the following unequivocal assertion; "It belongs not to state Legislatures to decide on the constitutionality of laws made by the general government."

Here we must observe, that the report came recommended for our acceptance, by the grand committee of the Legislature, with the words *deliberate or* between the words *to* and *decide*; but the prohibition of a state from deliberating 'on the constitutionality of the laws made by the general government,' appeared so radically erroneous and inconsistent, that a motion was made by one of the defenders of the report, as it now stands, to strike out the words '*deliberate or*,' which was agreed to without a dissenting voice, none of those who had voted for printing the official papers, having interfered in the debate.

While, therefore, we highly respect the abilities and precision of the majority of this House, we are compelled to declare, that in our opinion, this amendment renders, if possible, the assertion still more palpably preposterous, by subjecting each individual state to a degree of humiliation, incalculably painful, and immoderately degrading. For as it appears clearly by the twelfth article of the amendments to the constitution, as has been before observed, that the states individually, compose one of the parties to the federal compact or constitution, it does of course follow, that each state must have an interest in that constitution being pure and inviolate.

By the report, as amended and adopted by the House, each state is tacitly permitted the wretched, despicable prerogative of deliberating through their Legislature, on the real or supposed infraction of a compact, in which they are highly interested. But when they have deliberated, there they must stop, for they cannot communicate their sentiments in the common way, because that must necessarily involve their decision on the question; but this is declared in the report, to be an unconstitutional assumption of power, 'not belonging to state Legislatures.'

As we cannot yield our assent to this new method of tantalizing Legislative bodies, we willingly and cheerfully relinquish to the honorable inventors, all the profit and honor which may arise from the discovery.

*Because*, each state in the union, is by this diminutive explanation of their rights, debarred from a privilege, not only daily exercised by individual citizens, but in no instance attempted to be denied to them by the great legislative body of the union. As a proof of which we refer to the report of the committee of Congress, to whom was referred the memorials and petitions complaining of the act entitled 'An act concerning aliens,' on the twenty-fifth of February last, who admit in their report, that the memorialists declare this act to be unconstitutional, oppressive, and impolitic, 'and that some of the petitions are conceived in a style of vehement and acrimonious remonstrance,' but not a lisp of blame leaks out from this committee because the petitioners gave their decision, against the constitutionality of this law. From which it appears to us, that the report of this house voluntarily, though we are far from thinking intentionally, sacrifices a valuable prerogative of this state, not expected, much less demanded by the government of the union.

Let it not be supposed, that in advocating the power of each state to decide on the constitutionality of some laws of the union, we mean to extend that right to any laws, which do not infringe on the powers reserved to the states, by the twelfth article of the amendments to the constitution. We cannot, therefore, be charged with an intent to justify an opposition, in any manner or form whatever, to the operation of any act of the union. That we conceive to be rebellion, punishable by the courts of the United States.

*Because*, in the latter part of the report on the Kentucky resolutions,

the term JEALOUSY, which is therein affirmed 'to be the foundation of a free government,' is stigmatized in the report, 'as the meanest passion of narrow minds,' and a suggestion in our opinion ungenerous, is warmed in immediately afterwards, the intention of which, without entering deeply into the spirit of innuendoes, cannot be well misunderstood.

Whether jealousy, in a political sense, be a virtue or a vice, depends, we conceive, on the object by which it is produced, and the extent to which it is carried. As a proof of this, we will once more quote an admonition of our illustrious Washington, in his farewell address to his fellow-citizens. 'Against the insidious wiles of foreign influence (says he) I conjure you to believe me fellow-citizens, the jealousy of a free people ought constantly to be awake.'

But from this part of the report we were compelled to dissent for another reason, still more cogent, for by our consent, we should have acknowledged that the great body of our general constituents, had justly incurred the obloquy of possessing 'the meanest passion of narrow minds.'

In a late address of thanks to his Excellency the Governor, to which this House unanimously concurred, we say, 'That our constituents entertain too high a sense, are too JEALOUS of their own rights, ever to infringe wantonly, or intentionally, on those of any friendly nation.' From which it follows, that either this House entertained a most ignominious and disrespectful opinion of their constituents—that what is virtuous in them, is vicious in the Legislature of Kentucky—or that the explanation of the term *jealous*, in the report to which we have given our dissent, as applied to the subject of the Kentucky resolutions is altogether erroneous, ungenerous, and unfounded. The last of which three propositions, is the only one of them to which we could or can give our assent.

And lastly, we assign as a principal reason of our dissent, *because* we believe that the most pressing of our social duties, as citizens of the union, is to guard with a watchful scrupulosity, against the smallest breach of our federal constitution, to which we look up with admiration, with pleasure and respect, as the great and impregnable bulwark of [if] properly defended, of our political salvation.—(*Journal of the General Assembly of the State of Vermont*, October, 1799, pp. 148-152).

## THE RISE AND FALL OF THE NOMINATING CAUCUS, LEGISLATIVE AND CONGRESSIONAL

### I.

It is proposed in the present study to bring together into one sketch the facts relating to the development of that extra-constitutional institution which was the cradle of the organization of American parties. There were formed and fixed those characteristics, which, notwithstanding the profound changes wrought by subsequent growth, were destined permanently to distinguish the political life of America, which runs through the mould of party organization. Thus my purpose is to reconstruct a page of institutional history. By saying this I am at once defining the exact signification of the word caucus, that at least which comes under the grasp of the historian, as opposed to the somewhat loose acceptations in which the term is currently employed. Writers often, in referring to the caucus, quote John Adams as follows: "Our revolution was effected by caucuses. The federal constitution was formed by caucuses, and the federal administrations, for twenty years, have been supported or subverted by caucuses. There is little more of the kind now than there was twenty years ago. Alexander Hamilton was the greatest organist that ever played upon this instrument." After having recalled the intrigues to which Hamilton lent himself against him (Adams) and the cabals which took place over the presidential elections, he adds: "This detail sufficiently shows that caucuses have been from the beginning. There is, no doubt, some regard to public good in the prosecution of these measures. They are considered as necessary. There is also ambition, avarice, envy, jealousy and revenge. As these causes, good and bad, have hitherto produced such combinations, and as these causes will continue to the end of the world, we may presume the combinations will continue too. . . . You cannot prevent them any more than you can prevent gentlemen from conversing at their lodgings." These lines, written in 1808,<sup>1</sup> when the nominating caucus was not yet fully developed, have, as a matter of fact, no bearing upon and no con-

<sup>1</sup> In the "Review of Propositions for Amending the Constitution, submitted by Mr. Hillhouse to the Senate of the United States," and found in the papers of John Adams (*Works*, Vol. VI.).

nection with it. Adams was only speaking of the secret understandings, the political meetings, often tainted with intrigue, the cabals. Used in this sense the caucus indeed presents nothing either novel or specific. The historian who should turn his investigations in this direction might as well undertake to write the history of human deceit or of human spite. One would not have to begin with the time of the Revolution; one could trace the origin of the caucus to a date far anterior. To be precise, the beginning would have to be carried back to the garden of Eden, where the first caucus was held by Eve and the serpent.

But the more or less secret political confabulations which were first designated by the term caucus, constitute in no way the essential nor even necessary characteristic of those more or less representative meetings whose object is to decide on behalf of the community upon questions relating to public affairs, and, in particular, to elective appointments. Those meetings, to which the earlier term caucus was transferred because they had been inaugurated behind the scenes, have two distinctive characteristics: the first is the quasi-representative character which they, rightly or wrongly, assume, and which gives them, or seems to give them, the right to consider matters of general concern; the second distinguishing characteristic is the sanction attached to their decisions, which, once given, are *co ipso* considered as binding not only on those present, not excepting the minority who have contested their passage, but on all those whom the meeting is supposed to represent. This sanction has indeed no legal authority, but the universal acquiescence gives it a weight not less grave; it has become a part of the public conscience of that particular political society who form the United States. If this character of the caucus establishes the jurisdiction of the historian over it, it equally affords an indication and almost points out his path to the public man or at least to the public-spirited man preoccupied with the working of the political system and its difficulties and shortcomings,—to the *reformer*, as the phrase goes. If the authority of the caucus, and in particular, its binding power which acquires a lien upon the conscience of the individual citizen, to the point of depriving him of the full exercise of his rights as an elector, is but the result of a public opinion which shapes and unshapes itself through the action of divers influences, in the progress of time—if, in a word, it is but the effect of a certain phase of the evolution of political society, nothing forbids the reformer, and it may be that many considerations command him, to strive to give a new direction to public opinion, without allowing himself to be checked by fatalistic arguments derived from “human nature.”

For this twofold reason the history of the nominating caucus cannot fail to interest the historian as well as the politician. In presenting it to the readers of this REVIEW, I make no pretension to bring out new facts; my ambition will have been realized if I have grouped and connected the facts with more method than has, on certain points, been done hitherto.

## II.

With the development of parties during Washington's administration, the system of formal nominations of the candidates of parties for elective offices also developed, but the integration, from within the parties, of permanent organizations which should serve as regular nominating bodies was somewhat slow. Indeed at the outset the parties had no need of a rigid structure, for the reason that the number of voters was generally limited by the qualifications for the franchise, that the elective offices were not numerous, and finally because in American society, especially in New England, there was still a ruling class, that is to say, groups of men who, owing to their character, their wealth, and their social position, commanded the confidence of their fellow-citizens and made them accept their leadership without a murmur. The candidates were nominated in town meetings or county meetings, but in reality these general gatherings simply ratified selections made beforehand by the small coteries of leaders in their private caucuses. In Pennsylvania, where the strife of factions was particularly keen, a rough outline of an elective organization of parties appeared sooner than elsewhere, but for a considerable time it proceeded by uncertain and unconnected spurts in which it would be difficult to discover a regular evolution. We do find at a pretty early stage traces of meetings composed of delegates who were supposed, more or less rightly, to have been chosen by their respective townships; but more often these county meetings, where candidatures were adopted, were mass meetings open to all, in which the people of the neighborhood were numerous, while the inhabitants of the more remote localities were barely represented. To nominate candidates for elective offices which went beyond the limits of the county, the views of the inhabitants of various counties were often ascertained by means of a very extensive correspondence; a number of circulars were despatched, and from the replies received a list was drawn up of the candidates who had received the most votes, and it was returned by the same channel for ratification by the counties. These consultations were led by a few public-spirited men with a taste for election work, who made themselves into a committee of correspond-



ence for the occasion. Side by side with this mode of proceeding another was also practised, which consisted in making the nomination of the candidates for the senate of the state or for the Federal Congress in conferences of representatives of various counties ("confereres," "electors"), appointed for this purpose in county meetings, and of submitting the selections to the ratification of the general county meetings, which, as in the primitive democracies, theoretically retained their full powers. The practice of delegation gained ground, however, and in the first years of this century it seems to have been already fairly common in the counties. There were a few isolated attempts, the first of which even goes back to the year 1788,<sup>1</sup> to bring together delegates from the whole state for nominating candidates for Congress or for the electoral college entrusted with the election of the President and Vice-President of the United States.

But all these meetings of delegates were composed in an anything but regular way; too often the representation of different localities was neither complete nor direct. The decisions taken in them, however, were not binding, so to speak, on any one; at one time it was the leaders who, of their own authority, made modifications in the settled lists of candidates, according to the requirements of the electoral situation, at another the local voters recast the "ticket" as they thought proper; the distinction of parties even was not always observed, and mixed lists were made up. The candidates, in their turn, did not consider themselves bound by the nominations made, and often the competitors for elective offices who had not been accepted went on with their candidature just the same; they offered themselves directly to the electorate. This method of "self-nomination," very common in Pennsylvania down to the first years of this century, was still more so in other states, in Massachusetts, for instance.

It is not, therefore, these primitive conventions of delegates which were themselves without organization—created anew as they were in each special case and for the special occasion only, by the initiative of a private caucus, of a knot of politicians who bethought themselves to call such an assemblage, or by a public meeting of some town which invited its neighbors to send delegates to a common rendezvous—it is not these short-lived conventions that furnished a fixed form to the parties in their extra-constitutional existence, in

<sup>1</sup> Two more instances are perhaps to be found in Pennsylvania, during the twenty-five or thirty years after 1788, to wit, in 1792 and 1812. For the facts relating to these conventions and for the other antecedents of the organization of parties in Pennsylvania, see "Nominating Conventions in Pennsylvania," by J. S. Walton, *THE AMERICAN HISTORICAL REVIEW*, January, 1897.

which nomination to office was becoming the most important function. The extra-constitutional organization of the American parties started in a borrowed sphere, belonging to the constitutional structure, namely in the state legislatures and then in the Congress of the United States.

For the elective offices bestowed in each state by the whole body of its voters, such as the posts of governor and lieutenant-governor or the functions of presidential electors, the necessity of a preliminary understanding as to the candidates was still greater than for the smaller territorial units, and it could only be suitably effected in a single meeting for the whole state. But to organize such general meetings of representatives of all the localities in a regular way was by no means easy in ordinary times, both on account of the means of communication in those days, which made a journey to the capital of the state a formidable and almost hazardous undertaking, and of the difficulty of finding men of leisure willing to leave their homes for the discharge of a temporary duty. However, men enjoying the confidence of the voters of the state were already assembled in the capital in pursuance of their functions of members of the legislature. Were they not in the best position for bringing before their constituents the names of the candidates who could command the most votes in the state? This reflection occurred to the public, and in particular to the members of the state legislatures themselves, and they laid hands on the nomination of the candidates to the state offices. The members of both houses belonging to the same party met semi-officially, generally in the legislative building itself, made their selections and communicated them to the voters by means of a proclamation, which they signed individually. Sometimes other signatures of well-known citizens who happened to be in the capital at that moment were added, to give more weight to the recommendation of the legislators. To make it more sure of prevailing, the latter soon adopted the system of corresponding committees, which devoted their energies throughout the state to the success of the list.

This practice of recommending candidates for the state, which rapidly became general in the whole Union, began very early. The first instance seems to be found in the state of Rhode Island in 1790, when the governor and lieutenant-governor were recommended in this way.<sup>1</sup> In the same year the rival parties nominated in a similar manner their candidates to the post of governor in Pennsylvania, in

<sup>1</sup> *The Development of the Nominating Convention in Rhode Island*, by Neil Andrews, jr., in *Publications of the Rhode Island Historical Society*, Vol. I., Providence, 1893.

joint meetings of the members of parties in the legislature and the constitutional convention, which was convoked at that time to give a new constitution to the state. In 1793 we find the members of the legislature making the nomination of the governor by themselves.<sup>1</sup> In 1795 the state of New York adopts this method to propose John Jay as governor.<sup>2</sup> After 1796 it appears as a settled practice in all the states. And in this way is introduced, for the first time, a permanent party organization, nestling under the wing of the legislatures and composed of their very elements. It rises above the more or less fortuitous town and county meetings, in which choice is made, either directly or in the second instance, of candidates for local elective offices, and in this respect it presents a somewhat striking analogy with the incipient organization of the revolutionary epoch, in which side by side with the corresponding committees of towns formed by the people, on the model of Boston, there were established in the various colonies, on the more aristocratic plan of Virginia, committees of correspondence appointed by the colonial assembly. The semi-official control of the selection of candidates for the higher offices assumed by the members of the state legislatures, was undoubtedly also tainted with "aristocratism," but the electoral body acquiesced in it with a fairly good grace. The legislature, after all, represented the most important elements of that body; it had a plentiful share of the men of the old "ruling class" who were still regarded as the natural leaders of society, and by the side of them an ever-growing proportion of young politicians thrown up by the democratic leaven which was continuously agitating the country. The action of these men seemed to offer more guarantees for a satisfactory choice and to present more respectability than the mass-meetings, or, as some thought, mob-meetings, in which candidates were selected for the other offices. The private character of the semi-official meetings in question held by the members of legislatures got them the nickname of "caucus," by analogy with the secret gatherings of the caucus started at Boston before the Revolution. The name of "legislative caucus" became their formal title in all the states. Besides the candidates for the offices of governor and lieutenant-governor, the legislative caucus also nominated the presidential electors, in cases where they were appointed by the people.<sup>3</sup> But the nomination of candidates for the

<sup>1</sup> J. S. Walton, *Nominating Conventions in Pennsylvania*.

<sup>2</sup> J. D. Hammond, *The History of Political Parties in the State of New York*, Albany, 1842, I. 90.

<sup>3</sup> It will be remembered that the legislatures of several of the states, availing themselves of that clause of the Constitution which left to the states the determination of the method by which the electors should be chosen, assumed to themselves the privilege of naming the electors in legislative session. In other states the legislatures confided it to the people.

functions of electors soon lost its importance, for in the meanwhile there had arisen within the Federal Congress a caucus which, like the legislative caucuses of the states, took in hand the nomination of candidates for the presidency and the vice-presidency and entered on a course in which the power conferred on the electors was destined to disappear.

### III.

In the first two presidential elections the choice of candidates was, one may say, a foregone conclusion. The contest did not begin until the retirement of Washington. Elected in 1796, in spite of some intrigues within the ranks of the Federalists themselves, John Adams saw, as the election of 1800 approached, a stronger opposition raise itself against him. The lack of unanimity within the Federalist camp, aggravated by the confusion which was caused by the death of Washington, seriously compromised the chances of the Federalist party. The imminent danger of the success of Jefferson and the triumph of radicalism in the government appeared to the Federalists of the Congress to demand their intervention in the presidential election, from which the Constitution had carefully banished them. For some time past the Federalist members of the Congress, and the Senators in the first place, had been in the habit of holding semi-official meetings, to which the familiar name of caucus was applied, to settle their line of conduct beforehand on the most important questions coming before Congress.<sup>1</sup> The decisions

<sup>1</sup> According to the opinion generally received, these caucuses of the members of Congress appeared for the first time at the second session of the Eighth Congress. This date, which was given by Williams in his *Statesman's Manual* (I. 224) and has been accepted by later writers, among others by Professor Woodrow Wilson in his remarkable and fascinating work on *Congressional Government* (p. 328), should probably be rejected as too late. James McHenry, John Adams's war secretary, in a letter to his nephew, John McHenry, of May 20, 1800, explaining the circumstances in which it was decided to run Adams and Charles C. Pinckney for President without giving one a preference over the other, says: "The federal members of Congress held a caucus, as it is called, in which with very few exceptions it was determined" . . . (*Memoirs of the Administrations of Washington and John Adams*, by George Gibbs, II. 347). The very words as it is called show clearly that the caucus meeting referred to was not the first of its kind, that it was already an established practice described by a fixed term. Consequently caucuses of members of Congress had already been held at the first session of the Sixth Congress. Again the revelations or rather denunciations of Duane in the *Aurora* against caucuses give very definite indications that this practice originated still earlier: in the first session of the Fifth Congress. See the *Aurora* of February 12, February 15, and especially of February 19, 1800, where we find the following lines apropos of the Ross bill which had been discussed in caucus: "We noticed a few days ago the *Caucuses* (or secret consultations) held in the Senate Chamber . . . they were in the perfect spirit of a *Jacobinical conclave* . . . On this occasion it may not be impertinent to introduce an anecdote which will illustrate the nature of caucuses and show that our popular government may, in the hands of a faction, be as completely abused as the French

arrived at by the majority of the members present were considered as in honor binding the minority; being consequently clothed with a moral sanction, they gave these confabulations an equitable basis and almost a legal authority. In this way there grew up at an early stage, at the very seat of Congress, an extra-constitutional institution which prejudged and anticipated its acts. It was now about to reach out still further and lay hold of a matter which was entirely beyond the competence of Congress. It appears that this was done at the instigation of Hamilton, who, being anxious to push Adams on one side and to prevent the election of Jefferson, wanted to get the electoral manoeuvre which he had hit upon for this purpose<sup>1</sup> sanctioned by a formal decision of the members of the party in Congress.<sup>2</sup> The latter took the decision, nominated in consequence the candidates for the presidency and vice-presidency of the Union, and agreed to try and get them accepted by the electors.<sup>3</sup> This nomination became the precedent for a practice which com-

stitution has been by the self-created *caucus*. In the summer of 1798 . . . a caucus was held in the house of Mr. Bingham, in this city" (*i. e.*, Philadelphia); "it was composed of the members of the Senate, and there were present 17 members" (which would make more than half of the members of the Senate) . . . "Prior to the deliberations on the measures of war, navy, army, democratic proscription, etc., etc., it was proposed and agreed to that all the members present should solemnly pledge themselves to *act firmly* upon the measures to be agreed upon by the majority of the persons present at the caucus." The caucus was found to be divided into two factions, nine against eight. "This majority, however, held the minority to their engagement, and the whole seventeen voted in Senate upon all the measures discussed at the Caucus. Thus it is seen that a secret self-appointed meeting of seventeen persons dictated laws to the United States, and not only that nine of that seventeen had the full command and power over the consciences and votes of the other eight, but that nine possessed, by the turpitude of the eight, actually all the power which the Constitution declares shall be invested in the majority only."

It appears probable, however, that even this date, which would refer to the first session of the Fifth Congress, is still too late. Senator Smith, of Maryland, when defending the caucus against the attacks of its enemies in the Senate, March 18, 1824, and endeavoring to show that the practice had the authority of early precedent, said that he "believed the first embargo was agreed upon in caucus" (*Annals of Congress*, Eighteenth Congress, first session, I. 363). If the Senator from Maryland was speaking of the embargo of 1794, the caucus in question must have taken place in the first session of the Third Congress.

<sup>1</sup> According to the mode of voting then in force, the electors voted for two persons as President and Vice-President, without specifying which of the two they chose for President and which for Vice-President: the one who obtained the greatest number of votes became President. Hamilton's plan consisted in associating a second popular candidate (Pinckney) with Adams, and in recommending the electors, in order not to scatter their votes, to give both candidates an equal number of votes, in the hope that Adams, being one or two votes short, would be beaten by his colleague.

<sup>2</sup> Cf. Hamilton's letter to T. Sedgwick of May 4, 1800 (*The Works of Alexander Hamilton*, ed. by J. C. Hamilton, New York, 1856, VI. 436).

<sup>3</sup> *Memoirs of the Administrations of Washington and John Adams*, by Geo. Gibbs, II. 347; *The Life and Correspondence of Rufus King*, New York, 1896, III. 238, 240.

pletely destroyed the whole scheme of the provisions of the Constitution for the election of the President. The electoral device adopted by the Federalist caucus became known through a private letter from one of its members to his constituents; the caucus took care not to give it out in its own name, it wrapped all its proceedings in profound secrecy. And when W. Duane denounced them in the passage just quoted from his paper *Aurora*, and attacked the practice of caucuses, the "Jacobinical conclave," he was called before the bar of the Senate for his "false, defamatory, scandalous and malicious" assertions, and barely managed to escape from the formal proceedings which had been taken against him. In the Anti-Federalist press of Boston a violent protest was also made against the "arrogance of a number of the Congress to assemble in an electioneering caucus to control the citizens in their constitutional rights."<sup>1</sup> But this did not prevent the Republicans themselves, the Anti-Federalist members of Congress, from holding a caucus, also secret, for the nomination of candidates to the two highest executive offices of the Union; they had only to concern themselves with the vice-presidency, however, since Jefferson's candidature for the first of these posts was a foregone conclusion.<sup>2</sup> It seems that Madison, the future President of the United States, took the leading part in this caucus.<sup>3</sup>

At the next presidential election, in 1804, the Congressional Caucus reappeared, but on this occasion it no longer observed secrecy. The Republican members of Congress met publicly and settled the candidatures with all the formalities of deliberative assemblies, as if they were acting in pursuance of their mandate. The Federalists, who were almost annihilated as a party since Jefferson's victory in 1801, gave up holding caucuses altogether. Henceforth there met only a Republican congressional caucus, which appeared on the scene every four years at the approach of the presidential election. To strengthen its action in the country it provided itself (in 1812) with a special organ in the form of a corresponding committee, in which each state was represented by a member, and

<sup>1</sup> The author of this attack, signed "Old South" (the pseudonym of Benjamin Austin, a well-known Republican writer), gives us on this occasion a good specimen of the style of the times. Addressing a Federalist writer who has given the news of the Federalist caucus, he reproaches him in these terms: "What! Decius! are you daring enough to arrest the votes of Americans by telling them that their servants in Congress have already decided the choice? Are you so abandoned as to stab the Constitution to its vitals by checking the free exercise of the people in their suffrage? If you are thus desperate . . ." etc. (quoted in Niles's *Weekly Register*, Baltimore, XXVI. 178).

<sup>2</sup> Niles, XXVII. 66.

<sup>3</sup> Cf. *Annals of Congress*, sitting of the Senate, March 18, 1824, speech by Smith of Maryland.



which saw that the decisions of the caucus were respected. Sometimes the state caucuses intervened in the nomination of candidates for the presidency of the republic; they proposed names, but in any event the Congressional Caucus always had the last word. Thus in 1808, with two powerful competitors for the succession to Jefferson, Madison and Monroe, both put forward in the influential caucus of Virginia, the Congressional Caucus pronounced for Madison, while taking the formal precaution to declare that the persons present made this recommendation in their "private capacity of citizens." Several members of Congress, who did not want to have Madison, appealed to the country, protesting not only against the regularity of the procedure of the caucus, but against the institution of the caucus itself.<sup>1</sup> The caucus none the less won the day, the whole party in the country accepted its decision, and Madison was elected.

The same thing took place in 1812 in spite of an attempted split in the state of New York, the legislature of which officially brought forward its illustrious statesman, De Witt Clinton, against Madison, who was seeking re-election. In vain did the legislature of New York, in a manifesto issued for the occasion, try to stir up local jealousies, by protesting against the habitual choice for the presidency of citizens of the states of Virginia, against the perpetuation of the "Virginia dynasty"; in vain did it raise up the bitter feeling of state sovereignty, by pointing out that the nomination of a candidate for the presidency by an association of members of Congress, convened at the seat of government, was hostile to the spirit of the Constitution, which intended the President to be elected not by the *people* of the United States, in the sense in which they may be said to choose the members of the House of Representatives, but by the *states composing the Union in their separate sovereign capacities*; in vain did it appeal to democratic susceptibilities by denouncing the usurpation by the coterie of the Congressional Caucus of a right belonging to the people.<sup>2</sup> Madison was re-elected. In 1816, when the caucus met again<sup>3</sup> to choose a successor to Madison, Henry Clay brought in a motion declaring the nomination of the President in caucus inexpedient, but his proposal was rejected; a similar resolution introduced by Taylor of New York shared the same fate.

<sup>1</sup> R. Hildreth, *History of the United States*, VI. 65.

<sup>2</sup> Niles, III. 18.

<sup>3</sup> In this caucus not only the members of the Congress took part, but also the delegates from the territories of Indiana and Illinois. The last named retired, from considerations of propriety, that the members of the caucus might decide in his absence whether delegates should be permitted to vote. One must believe that the question was decided in the affirmative, since the delegate from Indiana is found among those voting. (*Ibid.*, X. 59.)

The caucus adopted the candidature of Monroe, who was Madison's favorite, just as this latter was in a way designated to the caucus by his predecessor Jefferson. The majority obtained by Monroe was but slight (65 votes to 54), but as soon as the result was announced Clay at once requested the assembly to make Monroe's nomination unanimous.<sup>1</sup> Such was the weight which the decision of the majority of the caucus had with every member, it was considered binding in honor on him as well as on every adherent of the party in the country who did not care to incur the reproach of political heresy, of apostasy. Under cover of these notions there arose in the American electorate the convention, nay, the dogma, of *regular* candidatures, adopted in party councils, which alone have the right to court the popular suffrage.<sup>2</sup> Complying with this rule, the electors, who, according to the Constitution, were to be the unfettered commissioners of the people in the choice of the chief magistrate, and to consult only their judgment and their conscience, simply registered the decision taken at Washington by the Congressional Caucus.

The authority of the Congressional Caucus which got its recommendation accepted with this remarkable alacrity and made the "nomination" equivalent to the election, rested on two facts. On the one hand, there was the prestige attaching to the rank of the men who composed the caucus and to their personal position in the country. They represented in the capital of the Union the same social and political element, and in a still higher degree, which the members of the legislative caucus represented in the states, that is, the leadership of the natural chiefs, whose authority was still admitted and tacitly acknowledged. The elevation of Jefferson to the presidency, which it is the fashion to describe as the "political revolution of 1801," was in point of fact only the beginning of a new departure. Far from upsetting the old fabric at once, it installed democratic doctrines in governmental theories, but not in the manners of the nation; and a quarter of a century will be needed, with the exceptional aid of events of a non-political character, to draw the practical conclusions from these doctrines and theories and make them part of the political habits of the people.<sup>3</sup> The latter still took its orders from the men who impressed it by their superiority and who naturally formed a somewhat exclusive and intimate circle.

<sup>1</sup> *Ibid.*

<sup>2</sup> Cf. the address of the legislature of New York already mentioned, Niles, III. 17; Matthew Carey, *The Olive Branch*, Philadelphia, 1818, Chap. 78, on the congressional caucus.

<sup>3</sup> Josiah Quincy, in the picture which he has left of Washington society in 1826, remarks that "the glittering generalizations of the Declaration were never meant to be taken seriously. Gentlemen were the natural rulers of America after all" (*Figures of the Past*, Boston, 1883, p. 264).

The members of the Congressional Caucus and the members of the legislative caucuses of the states, or, to use Hamilton's expression, "the leaders of the second class,"<sup>1</sup> constituted in fact a sort of political family, and the latter spontaneously became the agents of the Congressional Caucus; they were, in the language of a contemporary, as "prefects" to it,<sup>2</sup> set in motion by a simple exchange of private letters.

Again, the members of the caucus represented the *force majeure* of the interests of the Republican party, which enforced discipline, which compelled obedience to the word of command from whatever quarter it proceeded. It was necessary to defend at all costs the republic and liberty, both of which the Federalists were supposed to endanger. The Federalist party soon succumbed, but the recollection of the dangers, real or imaginary, to which liberty and equality were exposed by it, survived it, and for many a long day was a sort of bugbear which the leaders of the victorious party had no scruple about using for the consolidation of their power. To prevent the Federalists from returning to the charge, the Republicans had to carefully guard against divisions, and it was to avoid them, to concentrate all the forces of the party in the great fight for the presidency, that the Congressional Caucus obligingly offered its services.

This system of intimidation was reinforced by an electoral method which made the minority absolutely powerless and gave the caucus an exceptional vantage-ground.

#### IV.

The Constitution having left it to the states to settle the mode of appointment of the presidential electors, the states took the opportunity to adopt a variety of systems; here the state was divided into as many districts as there were electors to be appointed, and each district appointed its own; there the citizens of the whole state voted for all the electors on a general ticket; finally, in several states the legislatures took the choice of the electors into their own hands. The first system allowed either shade of political opinion its proper influence, whereas the two last, which soon spread over the greater part of the Union, ruthlessly stifled the voice of minorities, or even enabled a minority to usurp the rights of the majority. Even in states where the district system was in force, the majority laid out the districts in such an arbitrary and irregular

<sup>1</sup> *Works*, VI. 444, and *passim*.

<sup>2</sup> *Niles*, XXVII. 38.

way (gerrymandering) that they included very slight majorities of its adherents, side by side with very large minorities of its opponents; the districts were not always composed of adjoining territories, nor was their representation equal; one elected one representative, while another would elect two, three, or four. It was the eternal craving for domination which in American political society, the first formally based on right, on the legally expressed will of the majority, adapted itself to the new circumstances: deprived of the use of brute force, it set up, from the very beginning, majorities and minorities seeking to circumvent one another by devices of vote-counting. The divergent views on the Constitution and its interpretation, which broke out from this early date, gave the sanction of principles and convictions, often sincerely held, to these efforts to supplant the other side by expedients of electoral legerdemain; styling itself here "Republican party," there "Federalist party," the majority or the pretended majority everywhere tried to annihilate the minority in the name of the good cause.

To the cause embodied in the "party" was added another pre-occupation connected with a political prejudice which was one of the most powerful factors in the organization of the new republic and in its early life. This was the jealousy of the small states anxious to assert their "sovereignty" against the large, rich and populous states. The Federal Constitution, it is true, adopted a compromise which conciliated the small states by giving them representation equal to that of the larger states in the federal Senate. But the House of Representatives was composed of members elected in the states on the basis of population, and there, as well as in the college of electors, large states and small states confronted each other again as such. The states, even the large ones, which followed the district system, which elected their representatives by districts where the majority belonged now to one party and now to the other, could not help returning a mixed set of members, divided against themselves, incapable of reflecting the individuality of the state, while the states that chose their members on a general ticket, which prevented the different opinions in the state from coming out with their due weight, secured a homogeneous and compact representation. This being the state of affairs, the pious solicitude for the autonomy of the state sanctified, in its turn, the party greed which used the general ticket as a weapon for overthrowing competitors; it became a measure of self-preservation necessary for safeguarding the position of the state in the Union. For these reasons some states which originally adopted the district system abandoned it for the general ticket. Virginia set the example from

the year 1800,<sup>1</sup> while condemning the general ticket in the preamble of the law which introduced it.

But the advantages offered by the general ticket for ensuring the supremacy of the party and the sovereign individuality of the state could be secured only on condition of the single list being regularly put into shape somewhere on behalf of the people which was to vote it; otherwise the desired concentration could never be carried out over the whole state. This being so, the Congressional Caucus and its local agencies had only to come forward; they undertook to prepare the lists, and the people accepted the duty of voting them. The general ticket called for the caucus, the caucus smoothed the way for the general ticket, and each made over to the other the rights of the people, the full and independent exercise of the electoral franchise. While the general ticket claimed to prevent the "consolidation" of the states, the caucus consolidated in each state power in the hands of a few. Moreover a dissentient presidential elector having no chance of being returned under the general ticket, the "imperative mandate" became logically and almost spontaneously the rule for the electors, to the advantage of the candidates adopted by the Congressional Caucus. Thus in the first and in the second instance, voters and electors both abdicated their independence.

Sometimes, when the electoral contest was particularly keen, and the issue seemed doubtful, the leaders of the caucuses, fearing that the defection of a few supporters might prevent these automaton-electors from securing all the popular votes necessary for investing them with the office, got the appointment of them transferred to the legislatures in which they commanded a majority made up of themselves. It was not uncommon for the electoral system to be changed on the very eve of the elections, the general ticket or appointment by the legislature being substituted, by a sort of legislative *coup d'état*, for the district system. Disregarding all principle and all rule, the party in power shuffled the electoral arrangements like a pack of cards to suit the convenience of the moment.<sup>2</sup>

These malpractices, as well as the chaos of electoral systems they brought with them, soon caused a revolt in the public conscience, and a movement was set on foot to demand a uniform and

<sup>1</sup> "To give Virginia fair play," as Madison, who was the principal author of the measure, expressed himself in a letter to Jefferson, who gave the measure his approval. (*Letters and other Writings of J. Madison*, 1867, II. 155).

<sup>2</sup> Thus for instance Massachusetts, which voted in the first three presidential elections on the district system, in 1800 exchanged it for appointment of the electors by the legislature, then, in 1804, decreed the general ticket, and in 1808 reverted to appointment by the legislature. North Carolina practised the district system down to 1804, and in 1808 substituted for it the general ticket which, in 1812, made way for appointment by the legislature.

really popular mode of election, on the basis of the district system. An amendment to the Constitution of the United States was to enforce it on the whole Union. Proposals in this direction had already been submitted on several occasions to Congress, starting in the year 1800,<sup>1</sup> but after the election of 1812 they became more common. In the proposals brought forward from 1813 onwards, almost every year, either in the Senate or in the House of Representatives, one of the principal arguments against the general ticket was that it encouraged or necessitated the regrettable practice of the caucus.<sup>2</sup> It was pointed out with sorrow that the caucus, combined with the general ticket, had destroyed the whole economy of the plan devised by the authors of the Constitution for the election of the President. To quote one of the many speeches delivered on these occasions and which, by the way, throws light on the whole problem of the permanent party organization in its relations with the electoral régime: "In the choice of the chief magistrate (by the electors) the original primary act was to be theirs—spontaneously theirs. The electors were free to choose whomsoever they pleased. . . . How hideous the deformity of the practice! The *first* step made in the election is by those whose interference the Constitution prohibits. The members of the two Houses of Congress meet in caucus, or convention, and there ballot for a President or Vice-President of the United States. The result of their election is published through the Union in the name of a recommendation. This modest recommendation then comes before the members of the respective state legislatures. Where the appointment ultimately rests with them, no trouble whatever is given to the people. The whole business is disposed of without the least inconvenience to them. Where, in *form*, however, the choice of electors remains with the people, the patriotic members of the state legislatures, vieing with their patriotic predecessors, back this draft on popular credulity with the weight of their endorsement. Not content with this, they benevolently point out to the people the immediate agents through whom the negotiation can be most safely carried on, make out a ticket of electors, and thus designate the individuals who, in their behalf, are to honor this demand on their suffrages. Sir, this whole proceeding appears to be monstrous. It must be corrected, or the character of this government is fundamentally changed. Already, in fact, the

<sup>1</sup> The first proposals were brought before the House of Representatives on March 13, 1800, by Nicholas, then by Walker on behalf of the legislature of New York on February 15, 1802; by Stanley on behalf of the legislature of North Carolina on February 20, 1802; in the Senate by Bradley on April 16, 1802, etc.

<sup>2</sup> *Annals of Congress*, Thirteenth Congress, first session, speech of Pickens in the House of Representatives, January 3, 1814.



Chief Magistrate of the nation owes his office principally to *aristocratic* intrigue, cabal and management. Pre-existing bodies of men, and not the people, make the appointment. Such bodies, from the constitution of nature, are necessarily directed in their movements by a few leaders, whose talents, or boldness, or activity, give them an ascendancy over their associates. On every side these leaders are accessible to the assaults of corruption. I mean not, Sir, that vulgar species of corruption only, which is addressed to the most sordid of human passions, but that which finds its way to the heart, through the avenues which pride, ambition, vanity, personal resentment, family attachment and a thousand foibles and vices open to the machinations of intrigue. Their comparatively 'permanent existence,' and concentrated situation afford the most desirable facilities for the continued operation of the sinister acts. It is not in nature that they should long operate in vain; nor is it in nature that the individual elected by these means should not feel his dependence on those to whom he owes his office, or forego the practices which are essential to ensure its continuance, or its transmission in the desired succession. . . . I dare not promise that the adoption of this amendment by the states will put an end to cabal, intrigue and corruption in the appointment of a President. No human means can be adequate to that end. But I believe it demonstrable that this amendment will deprive cabals of facility in combination, render intrigue less systematic, and diminish the opportunities of corruption. . . . Faction cannot but exist, but it will be rendered tolerant."<sup>1</sup>

But the general ticket had its ardent defenders, who dwelt with vehemence on the dangers which the substitution for it of the district system would present from the standpoint of the rights of the states and the balance of power between the small states and the large ones.<sup>2</sup> At the same time some of the most virulent champions of the general ticket admitted the serious abuses which had crept into the presidential election by declaring, like Randolph, that the appointment of electors had become "a mockery—a shadow of a shade." But they insisted that the district system was no remedy, that the mischief lay not in the electoral system, but in the practice of the caucus: "Divide the state into districts, will that destroy the caucus? Oh, no; the men whose interests it may be to preserve the monster will still protect him. He will laugh at your vain attempts, and again and again trampling down the weak defences of the Con-

<sup>1</sup> *Annals*, *ibid.*, speech of Gaston, pp. 842, 843; see also the speeches of Gholson, same sitting; of R. King and of Harper in the Senate, March 20, 1816.

<sup>2</sup> *Ibid.*, Fourteenth Congress, second session; speech of Randolph, December 18, 1816; of Grosvenor, December 20, 1816; of Barbour in the Senate, January, 1819.

stitution, he will, as it shall please him, or rather as it shall please the existing Executive, make and unmake Presidents with the same ease as did the praetorian cohorts the masters of the Roman world. . . . No, Sir, let the majority of Congress cease to do evil. Let them scorn to be made the instrument of party, to elevate any man in violation of the Constitution. Let them meet no more in caucus. Thus, and thus only, Sir, can the object be accomplished."<sup>1</sup> The partisans of the district system, on their side, persisted in asserting that the "so objectionable practice was inseparable from any mode of undivided vote," that it was this which made the elector a machine set in motion by the caucus-ticket.<sup>2</sup>

From year to year these arguments were repeated on both sides, but the solution of the question made no progress. The House of Representatives—where the populous states, which derived additional power from the general ticket system or from the appointment of the electors by the Legislature, easily commanded a majority—systematically rejected all proposals for amending the Constitution. In the Senate, where the small states were represented on the same footing as the large ones, the district system met with a much more favorable reception. Three times the amendment obtained the constitutional majority in the states' chamber, but it was never able to command two-thirds of the votes in the popular section of Congress. The fortress of the general ticket thus remained intact, and, under its shelter, the caucus continued its existence.

#### V.

Yet the external defences with which the general ticket encircled the caucus could not long protect it, for its own forces were giving way, the two great forces, social and political, of the leadership and of the categorical imperative of the party. They had been slowly but steadily declining almost from the beginning of the century which witnessed the elevation of Jefferson and the triumph of democratic doctrines in the theories of government. The annihilation of the Federalists put an end to the division into parties, and Jefferson's famous remark, "We are all Republicans, we are all Federalists," was destined shortly to represent the real state of things. The survivors of the Federalist party gradually fused with the Republicans, and when Monroe came into power, the old landmarks were definitively obliterated; the Constitution which had aroused so many passions and animosities now inspired every citizen with sentiments of admiration and adoration; under its aegis the country was ad-

<sup>1</sup> Speech of Grosvenor, quoted above.

<sup>2</sup> Speech of Pickens, December 18, 1816.

vancing with giant strides, released from all party preoccupation; "the era of good feelings" had dawned in political life. And yet the Congressional Caucus, in putting forward its candidates, repeated the old refrain which exhorted the people to rally round them to confront the enemy, when there was no enemy; it invoked the sovereign cause of the party when the "party" no longer had any particular cause and represented only a memory of the past. But the less the ruling politicians were separated by differences on points of principle, the more readily did their narrow circle become a field for intestine strife and for intrigue. Hardly had Monroe's second administration begun (in 1821) when they were seized with the "fever of president-making." Several candidatures arose; all the candidates claimed to represent the firm of the Republican "party"; each candidate had his friends in Congress, who intrigued and plotted for him, waging a secret and pitiless war on all his rivals. They would have been glad enough to back up their claims with principles, with "great principles," but no distinctive principles could be discovered, not even with a magnifying glass.<sup>1</sup> One of the candidates for the presidency, Crawford, hit upon another expedient: being Secretary of the Treasury in Monroe's administration, and disposing of a somewhat extensive patronage, of places and favors to bestow, he did not scruple to use them to secure adherents. These bargainings and cabals seemed to justify the complaints of the intervention of members of Congress in the presidential elections, so often made in the course of the periodical debates on the general ticket. The prestige of the leadership could no longer shield the practices which were indulged in at Washington, for this prestige was profoundly impaired; it had been systematically undermined for a quarter of a century by the social and economic revolution which was going on in the American republic.

The politico-social hierarchy which Puritanism had set up in New England, and which was the outcome of an alliance between the magistracy, the clergy, property and culture, was collapsing. The eclipse of the Federalists, who were the living image of government by leaders, robbed it of one of its strongest supports. The influence of the clergy, which had been one of the main props of the Federalists, was being thrust out of lay society. On the other side of the Alleghanies, on the virgin soil of the West, a new world was growing up, free from all traditions, because it had no past; instinct with equality, because its inhabitants, who were all new-comers, parvenus

<sup>1</sup> "Could we only hit upon a few great principles and unite their support with that of Crawford" (one of the candidates), wrote a Senator on his side, "we should succeed beyond doubt." *Martin Van Buren*, by E. M. Shepard, p. 92.

in the elementary sense of the word, resembled each other. And this country of the West was advancing daily in population, in wealth, and in political importance. The old states were also celebrating great triumphs, due to the marvellous rise of their commerce and their industry; but their new prosperity acted rather as a solvent of the old order of things, it created a new class of rich men, composed of successful merchants and manufacturers; these *nouveaux riches* supplanted the old ones, without, however, taking their place in the esteem and the reverence of the people. The rapid growth of the cities helped to destroy the old social ties. At the same time the individual was being directly urged by men and things to shake off the old servitudes, or what was represented to him as such. The triumph of Jefferson, in 1801, without effecting a democratic revolution in habits, gave an extraordinary impulse to the propaganda of democratic ideas, made them the object of an almost ritual cult. Politicians vied with each other in repeating that the voice of the people is the voice of God, that before the majesty of the people everything should bow. Writers popularized and gave point to these ideas. In pamphlets composed for the farmers and the mechanics they preached a crusade against "money power," banks, judges appointed by the government, and against all the other aristocratic institutions, the mere existence of which was an insult to the sovereign people.<sup>1</sup>

The lesson which the American citizen learnt from things was not less stimulating. Material comfort was increasing with unprecedented rapidity. The series of great inventions which marked the beginning of the century, the steamers which sped to and fro over the vast republic, at that time richer in large rivers than in roads, the natural wealth which sprang from the soil, gave each and all a share in the profits of the economic revolution. Endless vistas of activity opened before every inhabitant of the Union; the soul of the American citizen swelled with pride, with the confidence of the man who is self-sufficing, who knows no superiors. The political sovereignty which was conceded to him with so much deference soon appeared to him as a personal chattel. And then to exercise his proprietary right over the commonwealth, he had no need of another person's intelligence; was it necessary for his success in private life? The leading citizens, therefore, who in Congress or in the legislature of his state, meeting in caucus, dictated to him his line of conduct, the choice of his representatives, became a set of

<sup>1</sup> Cf. W. Duane, *Politics for American Farmers*, being a Series of Tracts exhibiting the Blessings of Free Government as it is administered in the United States, compared with the boasted stupendous Fabric of British Monarchy. Washington, 1807.

usurpers in his eyes. Jealous of their pretended superiority, he grew impatient of their domination.

The small group of these trained politicians, assembled in the capital of the Union, was now plunged in intrigues aiming at the chief magistracy of the republic, and these intrigues were about to have their *dénouement* in the Congressional Caucus, if the established precedent were followed on this occasion again. Would it be followed? Would they dare to do it?—were questions asked in various quarters. And before long the Union became the scene of a violent controversy about the next meeting of the Congressional Caucus; it was discussed in the press, it occupied the public meetings, the state legislatures voted resolutions upon it. One of the candidates for the presidency, Andrew Jackson, who was not a politician, and who was in more than one respect a *homo novus*, could count but little on the favor of the Congressional Caucus; so his electoral managers came to the conclusion that to make his success more certain it was indispensable to overthrow the caucus, and they therefore took an important part in the campaign started against it.<sup>1</sup> Most of the numerous manifestations of public opinion were hostile to the caucus. Its advocates urged in its behalf the plea of the "ancient usages and discipline of party," and strove to prove that it was useful as a means of maintaining the harmony of the Union, and of counteracting the centrifugal tendencies of local competitions, that it represented the country as a whole, etc. But the voices which denounced it as the centre of an oligarchic clique, or as "a powerful machinery confined in the hands of a few presumptuous demagogues," etc., were louder. The greater part of the press was antagonistic to the caucus,<sup>2</sup> and some of the journals, with Niles's *Register* at their head, led the campaign against it with extraordinary vehemence. The worthy Niles wrote: "'As my soul liveth' I would rather learn that the halls of Congress were converted into common brothels than that caucuses of the description stated should be held in them. I would rather that the sovereignty of the States should be re-transferred to England, than that the people should be bound to submit to the dictates of such an assemblage. But the people will not succumb to office-hunters. . . . The great mass of the American people feel that they are able to judge for themselves;

<sup>1</sup> On this point we have the evidence, not to say the avowal, of Jackson's principal election agent, Major Lewis, in the *Narrative* which he supplied to Parton, Jackson's biographer (*Life of Andrew Jackson*, III. 21).

<sup>2</sup> According to Niles, out of 35 Virginian journals only three were for the caucus, in Ohio one journal in 48 was favorable, in New York ten out of 125, in Pennsylvania three out of 100, in Maryland two out of twenty, in Vermont two out of thirteen (*Register*, XXVI. 99).

they do not want a master to direct them how they shall vote."<sup>1</sup> The popular meetings almost without exception condemned the nominations made by the caucus as a flagrant usurpation of the rights of the people.<sup>2</sup> The state legislatures were more divided. In the East the legislative caucuses of New York, Maine and Virginia pronounced for the old practice of nomination by members of Congress,<sup>3</sup> but in Maryland and in some states of the young West the caucus was rejected with indignation by formal votes of the legislatures in official session. At the head of these states of the West was the state of Tennessee, General Jackson's native country. The local legislative caucus hastened, in August, 1822, more than two years in advance of the election, to record a vote recommending him for the chief magistracy. Then the legislature of the state, acting in its official capacity, passed resolutions energetically condemning the practice of the Congressional Caucus and communicated them to all the legislatures of the Union.<sup>4</sup> The reception given by these latter to the intervention of their sister of Tennessee was not of the warmest; the great majority of the legislatures abstained from considering the communication; in others, except in a few cases, it was received rather with disfavor.<sup>5</sup> Tammany Hall

<sup>1</sup> *Ibid.*, XXI. 339.

<sup>2</sup> Among these many meetings should be mentioned a "numerous meeting" of citizens of Cecil County, Maryland, of September 4, 1823, and a "numerous and respectable" meeting of citizens of Jefferson County, Ohio, of December 2, 1823. Their resolutions with long-winded preambles and expressing identical views present a significant contrast in tone and reasoning; those of the old Maryland in the East (see Niles, XXV. 40) bear the stamp of labored legal argument, while the language of the young state of the West, overflowing with enthusiasm, pays no heed to all the "whereas," and bluntly proclaims: "The time has now arrived when the machinations of the *few* to dictate to the *many*, however indirectly applied, will be met with becoming firmness, by a people jealous of their rights. . . . the only unexceptional source from which nominations can proceed is the people themselves. To them belongs the right of choosing; and they alone can with propriety take any previous steps" (p. 4 of the report of the meeting, published in pamphlet form).

<sup>3</sup> Hammond, II. 129; Niles, XXIV. 139; XXV. 292, 370.

<sup>4</sup> In this document the arguments against the Caucus are summed up under five heads, as follows: 1. A caucus nomination is against the spirit of the Constitution. 2. It is both inexpedient and impolitic. 3. Members of Congress may become the final electors, and therefore ought not to prejudge the case by pledging themselves previously to support particular candidates. 4. It violates the equality intended to be secured by the Constitution to the weaker states. 5. Caucus nominations may in time (by the interference of the states) acquire the force of precedents and become authorities, and thereby endanger the liberties of the American people" (*ibid.*, XXV. 137-139).

<sup>5</sup> See especially the message of Governor Troup of Georgia to the legislature, and the decision of the senate of the state of New York (Niles, XXV. 293, 323). The first-mentioned expressed himself somewhat harshly about the step taken by the Tennessee legislature: "What precise and definite meaning the legislature of Tennessee designed to attach to the word caucus, I cannot conceive," says the governor. "It is not an English word—it is not to be found in our dictionary, and being an uncouth word,



came out straight for the caucus, by passing a resolution: "we do seriously desire a congressional caucus . . . as the system of caucus nominations by Congress and by the legislature has, heretofore, sustained us in adversity and contributed to our triumph." But in the popular meetings, and in most of the newspapers, the attacks on the caucus continued without intermission.

## VI.

In Congress the intrigues of the rival factions also continued; the friends of all the candidates, excepting those of Crawford, resolved to take no part in the caucus, for if they attended it, they would be obliged, in pursuance of the non-written law of caucuses, to bow to its decision, were it voted by a majority of one only, and to give up their favorite candidates at once; in any event, if no candidate obtained a majority in the caucus, as was becoming probable owing to the multiplicity of candidatures, they would all issue from it with lowered prestige. A preliminary canvass had proved that two-thirds of the Republican members of the Congress refused to meet in caucus; Crawford's partisans none the less persisted in convening it. By way of meeting the reproaches which were levelled at the caucus of being a "Jacobinical conclave," its organizers decided that it should be held in public. It took place on the 14th of February, 1824, in the hall of Congress. Directly the doors were opened an enormous crowd thronged into the galleries, but on the floor of the brilliantly lighted chamber the seats of the members of the caucus remained almost empty. At last it was ascertained that of two hundred and sixteen members summoned, sixty-six had responded to the appeal.<sup>1</sup> Crawford obtained an almost unanimous

and of harsh sound, I hope never will. It is not to be found in either the constitution or laws of Tennessee, and being a mere abstract conception, cannot become a subject of legislation at all. The paper evidently refers to a contemplated meeting of the members of Congress to influence a decision of a certain question. Can any act of the legislature of Tennessee affect the persons of members of Congress or others at the city of Washington? There it has no more jurisdiction than it has beyond sea. Members of Congress, like all other officers of government, stand in two relations to society, the one public, the other private—they forfeit nothing of their rights by assuming public duties. . . . It is thus that legislatures, on the eve of great elections, stepping aside from their legitimate province, enter the field of contention, inflame the angry passions, making contentions more fierce, and the tumult more boisterous" . . .

<sup>1</sup> Niles, who was among the spectators, published a report of the caucus in his paper: . . . "The great hall of the House of Representatives was 'brilliantly lighted up, and here and there a member was seated and every now and then we saw another in the vast distance as if seeking the sheltering shadow of a friendly column. 'Adjourn, adjourn,' said several of the crowd in the gallery, perhaps loud enough to be heard in the caucus *before*, but others said 'go on,' and one added, 'let us see them commit political suicide, and destroy their friend.' Some wondered at the thinness of the meeting, and one man seemed quite distressed about it, for indeed it was a sorry sight." . . . With-

vote, but it was that of a small minority of the party only and the result simply proved the inability of the caucus to effect the concentration which was its *raison d'être*. Nevertheless it issued a long manifesto to demonstrate the necessity of persisting in the old practice and to warn the public of the disastrous effects likely to ensue from its abandonment, which would not be confined to the election of the President and the Vice-President, but would shatter the whole existing system of nominations to elective offices and ruin Republican ascendancy. The signatories of the manifesto insisted that no less a matter than the "dismemberment or the preservation of the party" was at stake.<sup>1</sup> Salvation therefore lay in the maintenance at all hazards of the traditional organization of the party.

The manifesto made no impression on public opinion, and the champions of the caucus soon had to withstand a great onslaught which was made on them in Congress. The handle for it was given by the everlasting question of the electoral régime, of the general ticket, or the district system. A long discussion arose in the Senate, which was transformed almost immediately into a passionate debate on the caucus. In the preceding discussions the caucus had been placed in the dock as the accomplice of the general ticket; now it was its own case which came before the court. Rufus King, one of the survivors of the generation which had founded the republic, opened fire with a long indictment of the "new, extraordinary, self-created central power, stronger than that of the Constitution, which threatens to overturn the balance of power proceeding from its division and distribution between the states and the United States," to degrade the legislature, to hand over the government to coteries of men "regulated by a sort of freemasonry, the sign and password of each at once placing the initiated in full confidence and communion with each other in all parts of the Union," etc.<sup>2</sup> In supporting Rufus King's attack, other senators protested against the assertion that the recommendations of the caucus were but a simple expression of opinion of private citizens, and that they committed nobody. It was precisely the influence attaching to their capacity of members of Congress which was the foundation of the Congressional Caucus, according to its opponents. And, in fact, they added,

out any consideration at all (of the candidatures) "the members of Congress and caucus were summoned by states, to give in their votes, tellers being appointed to count them. . . . When the proclamation was made some 'Buckingham' in the gallery induced two or three persons to clap their hands, as much as to say, 'long live Caucus,' but a pretty general hiss came out at nearly the same moment." (*Register*, XXV. 405.)

<sup>1</sup> *Ib id.*, 391.

<sup>2</sup> *Annals of Congress*, Eighteenth Congress, first session, sitting of March 18, 1824, pp. 355-362.

can it be maintained that the meetings which take place in the hall of Congress with their chairman in the Speaker's chair and the officers of the House at the doors, are meetings of private persons? It would be arguing like the priest who, when insulted on his way to church, threw off his gown exclaiming, "Lie there, *divinity*, until I punish that rascal;" and then, "having, in his private capacity, inflicted the chastisement, resumed the character of clergyman and proceeded to preach up charity and forgiveness of injuries, love to God and good-will towards man."<sup>1</sup> The perpetuation of the Congressional Caucus will open the door to the greatest abuses and to corruption. "It is an encroachment on the sovereignty of the people, the more alarming, inasmuch as it is exercised in the corrupt atmosphere of executive patronage and influence. Make me President, and I will make you a Minister, or Secretary, or, at all events, I will provide you with a good berth, suited to your wants if not to your capacity. . . . The President and Congress were intended by the wise framers of the Constitution to act as checks each upon the other, but by the system at present practised, they lose the benefit of this salutary provision."<sup>2</sup>

The defenders of the caucus, far more numerous in the Senate, took rather a high tone with its opponents. There was nothing, they declared, new-fangled in the caucus system, "it originated with the Revolution itself. It was the venerated S. Adams or his father who first suggested it. Was there any intention to recommend a man who was abhorrent to the people? If the people are united in favor of another man, the recommendation would not weigh a feather. The old adage is that by its fruits the tree shall be known. What has been the result of this practice for the last twenty years? Has your Constitution been violated? Is not our happy situation an object of congratulation? Is not every nation which is striving to break the fetters of slavery, looking to us as the landmark by which they are to be guided? These are the fruits of this system, which has been followed, in relation to the presidential election, from 1800, up to the present day; which has been sustained by the people; and which has some of the greatest names of the country to support it."<sup>3</sup> The attacks on the caucus were due rather to the rancor of a defeated party or to personal considerations. "It was by the caucus," said Senator Noble, "that the power then in the hands of Federalists was dislodged, and from my youthful days I said Amen! and so I say now."<sup>4</sup> Developing this

<sup>1</sup> *Annals*, *ibid.*, p. 382, speech of Hayne.

<sup>2</sup> *Annals of Congress*, Feb., pp. 412, 413, speech of Branch.

<sup>3</sup> *Ibid.*, 391, 392, speech of Barbour of Virginia.

<sup>4</sup> *Ibid.*, 374.

idea, the president of the last caucus, Smith, declared in his turn that it was by the caucus that the Republican party had been brought into power. "The bridge which has carried me safe over, I call a good bridge. . . . I act as a party man and have no hesitation in saying that I wish to keep my party in power; that I believe the caucus system is the most effectual means; and that when we cease to use it, we shall thereby deprive ourselves of one most powerful instrument. . . . In a government like ours, where many of our great officers are elected, there must be some mode adopted whereby to concentrate the votes of the people. The caucus system is certainly the best. For the presidency, for instance, is it not rational to suppose that the members of Congress have better opportunities of knowing the character and talents of the several candidates than those who have never seen them and never acted with them? However, the caucus mode is denounced, and now let us see what is to be substituted."<sup>1</sup>

The debate lasted for three days; more than twenty speakers took part in it. At last the Senate, wearied out, adjourned the discussion *sine die*. But it was clear to every one that the verdict had been given, that the Congressional Caucus was doomed. After the fiasco of the last meeting of the caucus, from which two-thirds of the Republican members of Congress absented themselves, the great debate in the Senate gave it the finishing blow. "King Caucus is dethroned," was said on all sides. And it made no attempt to recover its sovereignty; the animadversion which it aroused in the country was too great.

## VII.

As the authors of the manifesto issued on behalf of the last Congressional Caucus had foreseen, its collapse entailed that of the whole system of nomination for elective offices by caucuses. The legislative caucuses in the states had also to retire before the rising democratic tide. Their ranks had already been broken into before the explosion of democratic feeling which began with the third decade of this century. In the legislative caucuses composed only of members of the party in the legislature the districts in which their party was in a minority were left unrepresented, and yet decisions were taken in them which bound the party in the whole state; sometimes, even, the caucus represented only the minority of the party in the state. To meet the complaints made on this score, the caucuses decided, towards the latter part of the first decade, to take in delegates elected *ad hoc* by the members of the party in the districts

<sup>1</sup> *Annals of Congress*, *ibid.*, 395-398.

which had no representatives in the legislature. In this way a popular element was introduced into the oligarchical body of the caucuses and with powers expressly conferred. It mattered little that this innovation was not due, in the first instance, to the feeling that the caucus was usurping the rights of the people, but to the fact that it did not provide the party with a materially complete representation. The gap was made, and it was destined to go on widening until the whole people could enter by it. Rhode Island is perhaps the first to supply an example of a "mixed" caucus, about the year 1807, for the nomination of candidates to the high offices of the state.<sup>1</sup> The following year we see it introduced into Pennsylvania, after a campaign in which the proposal to entrust the nomination of the candidates to special delegates did not find much favor with the population, which held that the sending of delegates would cause "trouble and expense" and divisions in the party into the bargain. It was the Republican caucus which, to silence the rival faction, itself invited the counties represented by non-Republicans to send delegates on the basis of local representation to the legislature, to join with the Republican members of the legislature in nominating candidates for the posts of governor and lieutenant-governor. The first mixed caucus met on March 7, 1808, at Lancaster.<sup>2</sup> The violent strife of factions which filled the political

<sup>1</sup> *The Development of the Nomination Convention in Rhode Island*, by Neil Andrews.

The author of this interesting study fixes the date of the first mixed caucus at 1810; but the quotations given by Mr. Andrews from the *Phoenix* of February 14 and March 7, 1807, referring to the "General Convention of the Democratic Republicans of the State of Rhode Island," seem to me to indicate that a mixed caucus was there referred to, and not a pure caucus, since further notices, which explicitly mention the participation of delegates, designate these gatherings by the same term, general convention, even emphasizing the word *general* and adding: . . . "therefore desired to elect delegates." . . .

<sup>2</sup> "Pennsylvania Politics Early in this Century," by W. M. Meigs, in *Pennsylvania Magazine of History and Biography*, Vol. XVII., Philadelphia, 1894. According to Mr. J. S. Walton (article cited above on the "Nominating Conventions in Pennsylvania") a mixed caucus for the nomination of electors was held early in 1796, while in 1800 they were again nominated in a "pure caucus." This last statement is, without doubt, an error. As a matter of fact, there was no opportunity in 1800 to nominate electors in either a pure or a mixed caucus, for the very good reason that they were appointed by the legislature in its official capacity, by a joint vote, as in so many other states, in which the legislature assumed the legal right to choose the electors. This appointment of the electors by the legislature of Pennsylvania in 1800, was the result of the following circumstances: the law which provided for the choice of the electors by the people, on a general ticket, expired before the presidential election of 1800, and was not renewed by the legislature, nor was a new law enacted, for the two houses—the Senate being Federalist and the House Republican—could not agree upon a method of choosing the electors. The legislature adjourned without coming to any decision, and Pennsylvania seemed about to be deprived of her vote in the approaching presidential election. Governor McKean thereupon called an extra session of the legislature for November, 1800, and after a good deal of squabbling the houses united upon a list of electors, seven of whom were selected by the Senate and eight by the House.

life of Pennsylvania produced in about ten years a new variation in the constitution of the bodies which made the nominations of the candidates. The sharp attacks of the faction of the "Old-school Democrats" on the "intrigues of the Executive, and of his servants the Assemblymen," decided their rivals to summon, in 1817, at Harrisburg, a popular convention of delegates from the counties, in which the members of the legislature were to sit only in the absence of special envoys from their county. The name of convention, which, from the very beginning, was used to designate gatherings of citizens from several places, or "general meetings," became in the meantime the regular appellation of the representative meetings of delegates. The Harrisburg convention was attended by sixty-nine delegates and forty-four members of the state assembly.<sup>1</sup> The "mixed caucus" thus made room for the "mixed convention," the principle and basis of which were of a popular nature, and to which the members of the legislature were admitted on a subsidiary footing only. Very often they received a quasi-mandate to this effect: the populations, who did not care about choosing special delegates, "authorized" their representatives in the legislature to sit in their stead; or, again, the convention admitted them by a special vote, they were "voted in as members."<sup>2</sup> The mixed convention was destined to be replaced eventually by the pure convention, composed solely of popular delegates elected on each occasion *ad hoc*. This last form of convention gave a definitive and permanent form, in party government, to the principle and the practice of the authority delegated by the people, the haphazard antecedents of which we have seen arise at the dawn of the American Republic, in the conferences of delegates of the townships of the county, or of delegates of several counties, or even in the sporadic conventions of state delegates. The first pure convention was organized in Pennsylvania in opposition to the first mixed convention of Harrisburg, and on the same day, by the rival faction, which declared beforehand that the Harrisburg convention was only a "mongrel caucus," and convened its own at Carlisle.<sup>3</sup> Yet the "mongrel caucus" won the day and it was not till 1823 that both parties adopted the system of pure conventions.

In most of the other states the legislative caucus disappeared more slowly. In the state of New York the democratic society of Tammany demands, as early as 1813, the summoning of a con-

<sup>1</sup> M. Carey, *The Olive Branch*, 1818, p. 462.—Meigs, the article just quoted.

<sup>2</sup> This procedure was followed in Rhode Island, in 1825. See Neil Andrews, *op. cit.*

<sup>3</sup> Meigs, *loc. cit.*; Walton, *loc. cit.* For the nomination of presidential electors precedents are found of pure conventions in Pennsylvania, even before 1817.



vention of delegates for the nomination of candidates for the posts of governor and lieutenant-governor. But no effect is given to this recommendation; the legislative caucus holds the field. The first mixed caucus appears in New York, as a party move, only in 1817, and in 1824 it is still the caucus which makes the state nominations.<sup>1</sup> But in the course of the same year the conventions of delegates started by the convention of Utica, which was "called to put down the caucus," are permanently established. "The whole caucus system," as was proclaimed at this convention, "had been execrated deep from the hearts of the people. A tone of indignation and disgust at it had gone forth in the land. It could no longer stand."<sup>2</sup> In Massachusetts it is only in 1823 that special delegates are added to the members of the legislative caucus.<sup>3</sup> In Rhode Island, where the participation of popular delegates in nominations made by the members of the legislature was introduced at an early stage, the people show no readiness to depute their delegates. In 1824 it appears that barely a few towns responded to the appeal to send delegates; that in a convention of more than seventy members there are not more than twelve or sixteen who have been really elected.<sup>4</sup> In several states the pure legislative caucus continued to make the nominations of governor and lieutenant-governor even for some time after 1824.

These facts, which show how great the popular inertia, the force of habit, or the prestige of the leadership, were in face even of the rising tide of democracy, explain in a concrete way how the Congressional Caucus was able, in spite of the attacks made on it, to hold its own for no less than a quarter of a century and wield its oligarchical power, with the aid of a few small groups of men scattered throughout the Union. But if democratic feeling did not at once become an irresistible force, if it did not advance by leaps and bounds, it none the less accumulated in the mind of the nation by a daily, hourly process, while the legislative caucus, giving birth to the mixed caucus and the mixed convention, was itself paving the way for new *cadres*; only an accident was required to make the pent-up force explode and shatter the old ones. This accident was the fall of the Congressional caucus of 1824, which sheltered the

<sup>1</sup> Hammond, I. 437; II. 156.

<sup>2</sup> *Two Speeches* delivered in the New York State Convention, September, 1824, with the Proceedings of the Convention, New York, 1824, p. 11.—Cf. the *Autobiography* of Thurlow Weed, Boston, 1883, p. 117, who says that the convention which met at Utica in August (September 24?), 1824, was the beginning of a new political era.

<sup>3</sup> Niles, XXIII. 343. And even this mixed caucus did not make state nominations, but busied itself with the impending nomination for the presidency of the Union.

<sup>4</sup> Neil Andrews, *op. cit.*



old leadership, which supplied it with a centre of action. And its collapse was all the more complete that the "party" on which it leaned had long since lost all vitality, having no longer any distinctive principles or object and aim of its own.

It was, indeed, a double crisis: the democratic revolt was accompanied and stimulated by the crisis of party, the first one of great moment which the American Republic had experienced. The democracy came in to stay, and its purpose has incontestably aided the development of the great commonwealth of the new world. The party crisis was transitory and left behind it no lasting benefit for the republic. The shattered parties were to form anew, but the disease which destroyed them, about 1824, was destined to reappear and to fall upon their successors, more than once, not so much because of new political problems raising new differences of opinion, as because of the old mental habit which prevented a ready adaptation to the changes of time and circumstance. This habit was the notion of *party regularity*. The congressional and legislative caucus developed and strengthened it as a microbe is developed in the organism. An examination of the effects of the caucus, made at the present time, under the perspective of by-gone years and events, would seem to show that the attacks directed against it of old were not sufficiently justified. The indictment of the congressional caucus was, undoubtedly, to a certain extent made up of constructive charges. The exasperation of personal and party strife, as well as the ardor of the democratic spirit with its exuberance of youthful vigor, had inevitably exaggerated, or at least anticipated, certain abuses of the caucus. In particular the alleged prostitution of patronage, and the bargaining between the Presidents and the members of Congress, which were painted in such sombre colors, do not seem to have presented a grave aspect, however justifiable may have been the apprehensions with regard to the future. Intrigues were not entirely absent from the proceedings of the caucus, but they do not appear to have given rise to actually corrupt practices. The personages raised to the presidency by the caucus were not so much its creatures as men designated beforehand by public opinion, or by a very considerable section of it, owing to their great services and their character. The untoward effects which the caucus really produced and which were destined to weigh heavily on the whole future of the republic consist in having established disastrous precedents and habits of mind which American political life has never been able to throw off; nullifying the scheme devised by the framers of the Constitution for the presidential election and transforming the electors into lay figures, the

caucus has made the chief magistracy of the Union an object of wire-pulling; and to get its scheme sanctioned by the people, it has implanted within them a respect for party conventionalism, for its external badge, has drilled them into a blind acceptance of *regular nominations*.

This last point was by no means overlooked by the antagonists of the Congressional Caucus, and they laid stress on it with great distinctness and energy. As early as at the time of the first great revolt against the Congressional Caucus, provoked in 1812 by the followers of DeWitt Clinton, the very remarkable address issued by them and which has been already referred to, not only protested against caucus nominations as opposed to the sovereignty of the states and the rights of the people, which were thus usurped by an oligarchy, but denounced them with equal vigor as dangerous "to the freedom of election." "Even now," said the address, "acquiescence in the *regular nomination at Washington* is by many considered as the touchstone of republicanism. The individuals or the states that dare to exercise the right of independent choice are denounced as schismatics and factionists; and if already an innovation so recent and so flagrant be called the *regular nomination*, what will be its influence should time and repetition give it additional sanction? . . . Should the practice become inveterate we do not hesitate to say that to promulgate a nomination will be to decree the election." The same moving chord was struck in the last campaign against the caucus, that of 1823-24: "The charm of a 'regular nomination' shall no more have influence upon us; and no candidate shall receive our support who pretends to have any other reliance than his own intrinsic merits. . . . That system, in direct violation of our sacred federal Constitution, is to give to our members of Congress the power of nominating, or what amounts to the same thing under the binding authority of their proceedings in caucus, the power of electing our presidents."<sup>1</sup>

But such were the expressions rather of a few isolated voices, and they were lost in the din of the more effective appeals addressed to popular opinion, to the prejudices of the hour, more especially to the solicitude for the sovereignty of the states and the independence of the Legislative from the Executive and his power of patronage, and above all to the democratic jealousy of the masses. The objects of these sentiments appeared to have more of concrete reality than

<sup>1</sup> Resolutions of a convention of Republican delegates for the several towns in the county of Madison, N. Y.; Niles, XXV. 130, 131, October, 1823. The resolutions of the legislature of Tennessee, which were sent to all the states, are equally illustrative of the point under discussion.

had the autonomy of the political conscience, and it was not adequately realized that state sovereignty and the sovereignty of the people would be but snares, words devoid of meaning, if "freedom of election" were stifled by *party regularity*. At the present time there is no longer any struggle or controversy about state sovereignty; the people have nothing further to fight for in the American republic, democracy is acknowledged absolute master. But the cry: "The charm of a regular nomination shall no more have influence upon us, and no candidate shall receive our support who pretends to have any other reliance than his own intrinsic merits," this cry has lost nothing of its timeliness and reality. It has remained a legacy to be discharged by the American democracy. The efforts that the latter will make to pay it off and to do honor to its name will form one of the most moving of dramas, and one whose vicissitudes will be followed with bated breath by contemporaries no less than by the future historian.

M. OSTROGORSKI.

## DOCUMENTS

### 1. Cartwright and Melville at the University of Geneva, 1569-1574.

PROFESSOR CHARLES BORGEAUD, of the University of Geneva, well known to American readers by his *Rise of Modern Democracy in Old and New England* (1894) and his *Adoption and Amendment of Constitutions in Europe and America* (1895), has of late been occupied, at the instance of his university, with the preparation of an elaborate and scholarly history of that institution and its men, to be published in two handsome illustrated volumes. The first, entitled *L'Académie de Calvin jusqu'à la Chute de l'Ancienne République, 1559-1798* (600 pp. quarto), is in the press and is expected to be issued in January, 1900. By the kindness of M. Borgeaud we are enabled to present, from advance sheets of this volume,<sup>1</sup> certain interesting documents which he has discovered in the archives of the university, relating to the residence and teaching there of two famous British divines, afterward leaders in the Calvinistic party in England and Scotland respectively—together with the following explanations by the author:

IN June of 1571, an exile celebrated in the history of the sixteenth-century reformation, one of the fathers of English non-conformity, commenced at the request of the ministers, in the Academy founded by Calvin twelve years before, a course of two hours a week, which was continued during several months. In a letter of Beza to Bullinger, dated September 19, 1571, at a time when the plague was prevalent in Geneva, he says:

"The pest afflicts us greatly and other maladies are also prevalent, which carry off many. Job Veyrat, professor of philosophy, has died. Portus [professor of Greek], who is more than a sexagenarian, is suffering from the fever. An Englishman, a pious and learned man, who has been of great help to us, is beginning to languish. . . . The lower college is dispersed, I alone keep up, so far as my strength permits, what remains of the public lecturing."<sup>2</sup>

The "pious and learned Englishman" was Thomas Cartwright. The fact of his service in the Academy has heretofore escaped the

<sup>1</sup> Pp. 107-119.

<sup>2</sup> MS., Bibliothèque Publique de Genève.

biographers of the deposed Cambridge professor. But it is sufficiently assured by the records of both the Council of State and the Company of Pastors. In consulting these, however, it must be remembered that those who kept them were not familiar with English names, and that therefore that of Cartwright must be sought for under the romanized form of *Carturit*. With the aid of this key one will find, in the records for January, 1572, a substantial and striking proof of the Genevan origin of the ecclesiastical system of the Puritans. For it was in that very year, on his return from Geneva, that Cartwright, resuming the pen, drew up his famous *Admonition* to Parliament, one of the first manifestos launched at the Church of Elizabeth, the most effective and the most important in its consequences. The following are the records referred to :

"*Anglois ministre*. Les ministres ayant fait advertir qu'il y a icy un Anglois, excellent théologien, lequel ils ont prié de faire quelques leçons en théologie, le jeudi et le vendredi, ce qu'il leur a promis faire gratuitement, s'il est trouvé bon par Messieurs, arrêté qu'on l'approuve." (Register of the Council, June 28, 1571.)

1572. "Le vendredy 18 [de Janvier], tous les Frères estans ensemble, lettres d'Angleterre escrites par M. Chevalier ont esté leues par lesquelles on rapelle M. Th. Carturit.

"Le Jeudi 25" [read 24] M. de Bèze a proposé au Consistoire s'il trouveroit bon que M. Carturit et M. Van Til<sup>1</sup> assistassent à quelques uns de nos consistoires, ce qu'ils desiroient pour voir l'ordre qu'on y tient et y profiter et s'en servir, non seulement aux gouvernements de leurs Eglises, mais aussi pour répondre à ceux qui parlent de notre Consistoire autrement qu'il ne fault. La chose a esté trouvée bonne et a esté arrêté que Messieurs seroient priés de l'approuver pour le consistoire prochain.

"Le vendredy 26" [read 25], M. Carturit a esté apellé en nostre Compagnie et a esté remercié de la peine qu'il avoit prinse pour ceste Eschole laquelle nous désirons de reconnoistre à nostre pouvoir et en général et en particulier, recommandant ceste Eglise à ses prières, comme aussi à celles des frères d'Angleterre, vers lesquels il alloit, lesquels comme on a veu icy volontiers et aimez, quand ils y estoient aultrefois retirez, aussi désirons nous ceste sainte amitié estre bien entretenue et que de nostre part nous serons tousjours très joyeux de leur faire service.

"M. Carturit de sa part a remercié fort expressément les frères de l'honneur qu'il avoit receu particulièrement d'eux, outre l'humanité et bon accueil qu'il avoit receu généralement en ceste cité, et s'est offert à ceste Eglise en tout ce qu'il pourroit, à laquelle il se sent à jamais obligé.

"Les frères l'ont prié et ses compagnons Anglois qui estoient en ceste ville de souper avec eux mardy prochain au Banquet rectoral chez M. Ch. Perrot." (Register of the Company, January, 1572.)

"*Thomas Carturit*, anglois, docteur en theologie, s'estant retiré icy des quelques temps, pource qu'il estoit mal voulu en Angleterre pour avoir publiquement en des leçons soutenu la discipline ecclesiastique comme elle est icy pratiquée, a comparu et a remercié Messieurs de

<sup>1</sup> Thomas Van Til was at this time pastor of the Flemish community at Geneva.

l'honneur qu'ilz luy ont fait de l'avoir retenu en ceste ville, où il a encores été honoré de la charge de lire en theologie avec mons<sup>r</sup> de Bèze à son tour, où, par le raport de la Compagnie des ministres, tesmoigné par ledit M. de Bèze qui a porté la parolle pour luy qui ne parle pas bon françois, il s'est porté fidellement et doctement. Et, veu qu'il est rapelé pour retourner en Angleterre, il n'a pas voulu partir sans remercier Messieurs et leur offrir service, supliant au reste luy donner permission d'assister une fois au consistoire affin de voir l'ordre qu'on y tient, pour en faire le raport par delà. Sur quoy a esté arresté de le remercier de l'honneur qu'il a fait à ceste eschole et luy offrir recompense de sa lecture, luy accordant au reste la requeste qu'il a fait et semblablement aussi au sieur Van Til qui en a fait une de mesme, veu que ce qu'ils en font tend à bonne fin et qu'il ne procède pas de curiosité." (Register of the Council, January 29, 1572.)

"Le jedy dernier [31 Janvier], M. Carturit assista en consistoire." (Register of the Company, January 1572.)

Another great name of the Protestant Reformation, that of Andrew Melville, has undergone in the same original documents a similar metamorphosis, which has until now baffled such attempts as have been made to find in the state records of Geneva some trace of the future organizer of the Presbyterian Church of Scotland. He signed himself, at that time, in Latin: *Melvinus*. He was called in countries where the French language was used: *Melvin*. Having studied at St. Andrews and at Paris, he then taught for three years at the college of Saint-Marceau, at Poitiers, and left that city in 1569 when Coligny raised the siege. His destination was Geneva. In the autobiography of James Melville, the nephew of the Scotch reformer, one finds the following account, which the author wrote out from the personal recollections of his uncle:<sup>1</sup>

"The seage of the town being rased, he left Poiteors, and accompanied with a Frenchman, he tuk jorney to Genev, leaving buikis and all ther, and caried na thing with him bot a litle Hebrew Byble in his belt. So he cam to Genev all upon his fut, as he haid done befor from Deipe to Paris, and from that to Poiteors; for he was small and light of body, but full of sprites, vigourus and cowragius. His companions of the way, when they cam to the ine,<sup>2</sup> wald ly down lyk tyred tyks,<sup>3</sup> bot he wald out and sight<sup>4</sup> the townes and vilages withersoever they cam. The ports of Genev wer tentilie keipit, because of the troubles of France, and multitud of strangers that cam. Being thairfor inquiryt what they war, the Franche man his companion answerit, "We are pure<sup>5</sup> scollars." Bot Mr Andro, perceaving that they haid na will of pure folks, being alreadie owerlaid thairwith, said, "No, no, we are nocht puir. We haiff

<sup>1</sup> *The Autobiography and Diary of Mr. James Melville, Minister of Kilrenny, in Fife, and Professor of Theology in the University of St. Andrews*, edited, for the Wodrow Society, by Robert Pitcairn, Edinburgh, 1842, pp. 41 et seq.

<sup>2</sup> Inn.

<sup>3</sup> Dogs, hounds.

<sup>4</sup> Inspect, examine.

<sup>5</sup> Poor.



alsmikle as will pey for all we tak, sa lang as we tarie. We haiff letters from his acquaintance to Monsieur di Beza; let us deliver those, we crave na fordar." And sa, being convoyit to Beza, and then to thair ludging, Beza, perceaving him a schollar, and they haiffing neid of a Professour of Humanitie in the Collage, put him within a twa or thrie days to tryell in Virgill and Homer; quhilk he could acquait so weill, that but farder<sup>1</sup> he is placed in that roum of profession; and at his first entrie, a quarter's fie peyit him in hand."

The title of professor of humanity, employed above, led Melville's biographer, Dr. Thomas McCrie, to suppose that Melville had been a professor in the Academy (*Schola Publica*) of Geneva.<sup>2</sup> The records of the Council show that he was, in reality, regent of the second class at the College (*Schola Privata*), and that he filled the position during five years. He was nominated to the College on November 10, 1569, together with Hugues Roy, "pour servir en la cinquième, le dit Roy, et pour la seconde le dit Melvin, gens bien propres à telle charge. Iceux ont été aprouvés et ont fait le serment." (Register of the Council *ad diem*.) Not contented with fulfilling the duties imposed upon him by his position, he took advantage of this opportunity to continue his studies, and, by the special favor of the scholastic authorities, he was able to follow not only the theological courses of Beza, but also the Greek and Hebrew courses given by the public lecturers, thus associating himself with Franciscus Portus and Bertramus. Scrimger, late professor of philosophy, was connected with him by marriage. At Paris he had been the pupil of the royal lecturers, Jean Mercier, Turnebus, Ramus, and as such had liberty of speech concerning advanced instruction in the ancient languages. His nephew tells us that he would readily quarrel with Portus over his method of pronouncing by accents, after the Greek manner, maintaining with the obstinacy of a follower of Ramus that Portus was in the wrong. The Cretan would cry out, losing all patience: "Is it you then, Scots, barbarians, who shall teach us to pronounce our own tongue?"

"In Genev he abead fyve years; during the quhilk tyme his cheiff studie was Divinitie, wheranent he hard Beza his daylie lessons and preachings; Cornelius Bonaventura, Professour of the Hebrew, Caldaik and Syriac langages; Portus, a Greik born, Professour of the Greik toung, with whom he wald reassone about the right pronuntiation thair of; for the Greik pronuncit it efter the comoun form, keiping the accents; the quhilk Mr Andro controllit be precepts and reasone, till the Greik wald grow angrie, and cry out: 'Vos Scoti, vos barbari! docebitis nos Graecos pronunciationem linguae nostrae, scilicet?'" (*Autobiography*, p. 42.)

<sup>1</sup> Without further ado or examination.

<sup>2</sup> *Life of Andrew Melville*, second ed., p. 32.

When Ramus, who lectured at Geneva during the spring of 1570, was about to return to France, he paused at Lausanne, and gave a month's course, in which he had the opportunity, denied him in Beza's school, to expound without restraint his famous dialectic. Among the disciples who had followed him to Lausanne, in July, should be mentioned Andrew Melville and his fellow-countryman Gilbert Moncriff, who became physician to James VI. In September the two Scots returned to Geneva. We read in the records of the Council of Lausanne: "Le 5 septembre 1570 André Melvin et Gilbert Mengrifz, escolliers escossois, prennent congé."<sup>1</sup> Moncriff wrote his name in the rector's book of the Genevan academy, at the commencement of 1567: "Gilbertus Moncreif Scotus."

Melville left Geneva, to return to Scotland, in the spring of 1574; his place as regent of the second class was taken by Emilius Portus, son of the professor of Greek.

1 avril 1574. "André Melvin. Emile Portus. Mons<sup>r</sup> de Bèze a proposé que ledit Melvin, desirant se retirer en son pays, leur a demandé congé, et qu'en son lieu ils ont esleu ledit Portus, fils de M. Portus, pour faire la charge de la seconde classe. Attendu quoi il a esté receu et a presté le serment."

5 avril. "André Melvin s'est présenté icy priant Mess<sup>rs</sup> avoir à gré le service qu'il a faict à la Seigneurie estant regent à l'escole. Arresté qu'on lui reponde qu'on se contente de son service, luy donnant gracieux congé." (Register of the Council, *ad annum*.)

When Melville left Geneva, in company with Alexander Campbell, Bishop of Brechin, and his tutor, Andrew Polwart, in April 1574, he carried as testimonial a letter to the churches of Scotland, written by Beza in his capacity of Moderator of the Company of Pastors and Professors, and to which Jean Pinaud, Rector of the School, added a few lines. A duplicate of this document, which is mentioned in James Melville's *Diary*, still exists among the ecclesiastical correspondence deposited in the Bibliothèque Publique of Geneva. It read as follows:

*Testimonium quod datum est Andrea Melvino in patriam suam Scotiam redeunti.*

"Gratiam et pacem a Domino."

"Quam studiose nobis veterem illam conjunctionem retinendam arbitremur, fratres ac symmistae plurimum observandi, vel ex eo existimate quod *Andrea Melvino* ad suos, id est ad vos, redeundi potestatem fecerimus. Erat enim ille totus optimo jure noster et quandiu apud nos vixit (vixit autem quinquennium) ea pietate fide ac diligentia munus in privata hujus civitatis schola sibi commissum administravit ut quo nobis utilior fuit presentis opera eo majorem ex ipsius profectione jacturam

<sup>1</sup> Communication from M. le professeur Bernus.

fecisse videamur. Sed nos ipsos nobis potius negligendos putavimus quam ut vestri rationem non satis habuisse videamur. Absit enim ut quod vobis confertur nobis perisse existimemur et a nostris commodis vestra sejungamus. Nam certe vos haec Ecclesia non modo pro fratribus agnoscit verum etiam quasi mater filios amplectitur, memor videlicet magnorum illorum virorum, D. *Cnoxi* et D. *Gudmani*, quos sibi merito carissimos tantisper fovit in sinu, dum ad vos redirent magnum illud opus Domini feliciter, ut exitus ostendit, extracturi. Ad haec etiam accedit commune confessionis Helveticae Vinculum, ut nisi vos perinde ac nos ipsos omnia pene divina et humana jura violasse existimari possimus. Itaque fratres sanctam istam inter nos, usque adeo felicibus auspiciis, coeptam conjunctionem omni officiorum genere foveamus, et quorum corpora tantis terrarum ac maris spatiis dirimuntur eorum animos ille Domini nostri Jesu Christi spiritus idem in ipso sentientes, docentes, agentes, magis ac magis devinciat. Nos quidem, favente Dei misericordia, nullum in nobis fratrum officium desiderari patiemur, nec vos alio vicissim in nos animo futuros plane confidimus.

"Caeterum, quod ad res nostras attinet, quam clementer nobiscum Dominus totis 7 annis egerit, quum nos flagello pestis erudiret, quam benigne inflictas nobis plagas pene jam persanarit, quam admirabiliter idem ille rursum apud nos hospitium miseris exulibus ac naufragis fratribus aperuerit, caeteraque ejusmodi plenissime ex iis nostris fratribus cognoscetis. Ex D. *Cnoxi* morte maximum Sicuti par est dolorem cepimus; est enim certe bonorum mors semper nobis immatura in tanta illorum penuria. Illud tamen justissimum nostrum mœrorem multum lenit quod Ecclesias optime institutas atque etiam, ut audimus, multo quam unquam antea pacatiores vobis et pietate et doctrina instructissimis, reliquit. Sic futurum omnino speramus, Dei optimi maximi benignitate freti, ut quamvis strenuus ille *ἐργάτης* ac etiam *ἐργοδιώτης* jam quiescat labore suo feliciter defunctus, tamenque neque summus ille et unicus vere *ἀρχιτέκτων* opus suum deseruerit, neque vos illi praecipienti et hortanti defuturi sitis, quod isti adeo feliciter repugnantibus tam multis hostibus coeptum ac promotum est quam felicissime perficiatur. Ita faxit Dominus Deus noster, fratres ac symmistae plurimum observandi, quem totis animis precamur ut suorum misertus Satanae rabiem compescat Vestrisque sanctis laboribus benedicat. Bene valete et nos vicissim pergite complecti.

"Genevae, XII Aprilis 1574.

"THEODORUS BEZA vester  
conservus, suo totiusque Collegii  
nomine."

"Quamvis nostro omnium nomine servandissimus noster frater D. *Theodorus Beza* nostram benevolentiam et cum vestris Ecclesiis conjunctionem tam vere et tam sincere testatus sit ut nihil addi debeat, tamen veluti *ἐκ παρρησίας* usus est hoc addere, nihil gratius nobis posse accidere quam vestras Ecclesias in dies confirmari audiamus et mutuam nostram amicitiam, quam et vos non minus cupere arbitramur, augescere.

"Superius D. *Andrea Melvino* testimonium verissimum esse confirmamus, prolixiori commendatione usuri, nisi fore speraremus ut viri modestia, eruditio et pietas illum abunde satis commendarent, ac vestris Ecclesiis quod imprimis optandus plurimum commendarent. Valete observandissimi fratres et in Domino colendissimi.

"Genevae, XII Apr. 1574.

"JO. PINALDUS, pastor in Ecclesia genevensi  
et Scholae Rector."

A few days before the above testimonial was delivered to him in the name of the Church and School, Andrew Melville had taken his leave of the Council of State. The fact is recorded in the following entry :

"André Melvin s'est présenté icy, priant Messieurs avoir à gré le service qu'il a faict à la Seigneurie, estant régent à l'escole. Arresté qu'on luy réponde qu'on se contente de son service, luy donnant gracieux congé." (Register of the Council, April 5, 1574.)

Melville's garden in the college precincts was inherited by a refugee of St. Bartholomew, who had become Professor of Arts in the Academy, and whom he had also the rare opportunity of hearing in the only courses of public lectures which the celebrated scholar ever gave in his long life. This was Joseph Scaliger. Under the date of March 16, 1574, the Secretary of the Council entered :

"*Joseph Scaliger.* Estant proposé qu'il désireroit avoir ung jardin, arresté qu'on luy baille celui de M<sup>r</sup> Melvin, qui s'en va en France, comment on dit."

According to James Melville, his uncle left for Lyons, Orleans and Paris. He sailed from Dieppe for England. From London he took his journey by Berwick to Edinburgh, where he arrived in the beginning of July.

2. *Journal of Philip Fithian, kept at Nomini Hall, Virginia, 1773-1774.*

The following pages contain selections from the journal kept by Philip Vickers Fithian, while tutor in the family of Councillor Carter of Nomini Hall, Westmoreland County, Virginia. Philip Fithian was born in Greenwich, New Jersey, December 29, 1747. After three years of schooling under the Rev. Enoch Green of Deerfield, N. J., he entered Princeton College, November 30, 1770, being admitted to the Junior Class, and graduating in September, 1772, in the same class with Aaron Burr. The year following was spent in the study of theology, under his old friend and teacher Dr. Green of Deerfield, his ambition being admittance to the Presbyterian clergy. It was in the fall of 1773 that he received a letter from Dr. Witherspoon, offering him a situation in the family of Robert Carter of Virginia, stating that he had recommended him to his old friend as a tutor, and advising him to accept, if only temporarily. Though warned against the danger he incurred, both moral and physical, by venturing into such a sea of temptation, as many prejudiced people then regarded the South, he decided to accept; and thus it was he came to Nomini Hall. It is pleasing to note how agreeable was

the surprise when instead of the anticipated revelry and vice, he found only culture and refinement; an elegance of living and a courtliness of manner, perhaps equalled by few in the colonies. Robert Carter, called the Councillor, was a grandson of the famous "King" Carter of Corotoman, noted for his immense wealth and boundless possessions. The Councillor was a man of great culture and refinement, with a taste for retirement and study. He loved rather a quiet life with his family upon his estate at Nomini Hall, than the gayeties of the governor's court at Williamsburg. He was a member of the King's council which sat at Williamsburg; it was probably this position, which he held at the time of the war, that led him to discountenance all dissensions with that King, whom he in a sense represented, and caused him to take no part in the struggle for independence. Toward the close of his life he became in reality a recluse, seldom leaving his place, or visiting his neighbors, so that little is known of his last years, save that they were devoted to religion, the form of which he changed many times.

Of Nomini Hall and its surrounding buildings nothing now remains, it having been destroyed by fire in 1850. The beautiful avenue of grand old poplars is still the pride of the place and survives all the many changes of time. The ruins of the mill and dam are still to be seen, though the upper channel is filled with mud and is long since closed to navigation.

Philip Fithian, after leaving Councillor Carter's, entered the ministry,<sup>1</sup> and soon after the outbreak of hostilities enlisted as chaplain in a New Jersey regiment, and served during the campaign on Long Island and New York. He was taken sick and died at Fort Washington, of a camp epidemic, just before the capture of that place by the British.<sup>2</sup> In conclusion the editor of these pages wishes to say that it is through the courtesy and kindness of the present owner of these manuscripts, a member of the Fithian family, that he has been enabled to place them before the public, for which he is most sincerely thankful.<sup>3</sup>

JOHN ROGERS WILLIAMS.

<sup>1</sup> He is said to have been a member of the "New Jersey Tea Party," at Greenwich, December 22, 1774. See *New Jersey Archives*, X. 532.

<sup>2</sup> Heitman, *Historical Register*, s. v., says that he was "killed on the retreat from New York, September 15, 1776," which was the day of the action at Kip's Bay.

<sup>3</sup> The journal now preserved is not, in this portion, the original manuscript, but a copy made by the writer's nephew, Rev. Enoch Fithian, apparently about 1820. The footnotes appended to the printed text are partly by Mr. J. R. Williams, of Princeton University, partly by the editor. The dates have been expanded in form, and have been given a different place from that which they occupy in the manuscript; otherwise the latter has been literally followed.—ED.

1773, *Saturday, October 23.*<sup>1</sup> Expence at Baltimore 15/3. Rode and forded Petapsko to a small Tavern 15 Miles. Expence 1/11. Rode thence to Blandensburg [Bladensburg] 23 Miles. Whole Distance 38 Miles. Whole Expence 17/2.

*Sunday, October 24.* Expence at Blandensburg 5/7. Rode thence to George-town 8 Miles. Expence 1/6. Ferriage /6. From thence we rode by *Alexandria*, 9 Miles. Thence to Colchester 18 Miles. Dined. Expence 3/9. Ferriage /6. Rode thence to Dumfries 10 Miles. Whole distance 45 Miles. Whole Expence 11/4.

*Monday, October 25.* Expence at Dumfries 4/5. Rode thence to Aquia 10 Miles. Expence 2/4. Rode thence to Stafford-Court-House 12 Miles. Whole Distance 22 Miles. Whole Expence 6/6.

*Tuesday, October 26.* Expence at Stafford 5/. Stopped at Colonel Thomas Lee's,<sup>2</sup> only a few Rods from Stafford Tavern. Continued there all day, and the following Night. Expence to Day 5/.

*Wednesday, October 27.* Expence to boy 1/. Rode from Mr. Lees to a small poor Ordinary 13 Miles. Expence /8 for Oats. Rode thence, without feeding to Captain Cheltons, on the Potowmack 32 Miles. Whole Distance 45 Miles. Whole Expence 1/8.

*Thursday, October 28.* Rode after Breakfast to the Honorable Rob : Carters the End of my Journey ; 12 Miles, by two o-Clock in the Afternoon. Both Myself, and my Horse seem neither Tired nor Dispirited. Occasional Expences on the Road. In Baltimore for some Buff-Ball 1/6. In Blandensburg for having straps put to my Saddle-Bags 3/. In Colchester for Shaving and Dressing 1/3. The whole 5/9. So that my whole Distance appears to be 260 Miles, performed in seven days. And my whole expence appears to be

£	S	D
3	6	6

*Friday, October 29.* Settled myself in the Room appointed me, and adjusted my affairs after my Ride.

*Saturday, October 30.* Rode with Mr. Carters eldest Son to a Store, about seven Miles. Bought half a Box of Wafers for 1/. And a quire of paper for 1/6. Dined at three. And rode into Richmond Parish 15 Miles to Mr. Fantleroy's. Was introduced to Mr. Fantleroy, two of his Sons, Mr. Christian a dancing-Master.

*Sunday, October 31.* Rode to Church six Miles. Heard Mr. Gibbern<sup>3</sup> preach on Felixes trembling at Pauls Sermon.

*Monday, November 1.* We began School. The School consists of eight. Two of Mr. Carters Sons, One Nephew, And five Daughters. The eldest Son is reading Salust: Gramatical Exercises, and latin

<sup>1</sup> Fithian had left his home, in southern New Jersey, on October 19.

<sup>2</sup> This Col. Thomas (Ludwell) Lee was the second surviving son of President Thomas Lee and was a brother of Philip Ludwell and Richard Henry. He was prominent in the political movements of the times.

<sup>3</sup> Rev. Isaac William Giberne, rector of Lunenburg Parish from 1762, for perhaps twenty years. He was an Englishman (said to have been a nephew of the Bishop of Durham), a man of much wit and talent, and noted for his convivial habits.



Grammer. The second Son is reading english Grammar Reading English: Writing, and Cyphering in Subtraction. The Nephew is Reading and Writing as above; and Cyphering in Reduction. The eldest daughter is Reading the Spectator; Writing; and beginning to Cypher. The second is reading next out of the Spelling-Book, and beginning to write. The next is reading in the Spelling-Book. The fourth is Spelling in the beginning of the Spelling-Book. And the last is beginning her letters.

*Sunday, November 7.* Rode to Ucomico Church,<sup>1</sup> 8 Miles. Heard Parson Smith. He shewed to us the uncertainty of Riches, and their Insufficiency to make us happy. Dined at Captain Walkers; With Parson Smith; his Wife; her Sister, a young lady; &c. Returned in the Evening.

*Friday, November 12.* Ben begun his Greek Grammer. Three in the afternoon Mr. Carter returned from *Williamsburg*. He seems to be agreeable, discreet, and sensible. He informed me more particularly concerning his desire as to the Instruction of his Children.

*Saturday, November 20.* Rode to Mr. Fishers dined with Mr. Cunningham at 3 o-Clock. Rode in the evening to Mr. Lancelot Lees,<sup>2</sup> a young Gentleman, who has lately come from England; sup'd on Oysters. Rode home about nine o-Clock he along.

*Thursday, November 25.* Rode this morning to Richmond Courthouse, where two Horses run for a purse of 500 Pounds: besides small Betts almost enumerable. One of the Horses belonged to Colonel John Tayloe,<sup>3</sup> and is called *Yorick*. The other to Dr. Flood, and is called *Gift*. The Assembly was remarkably numerous; beyond my expectation and exceeding polite in general. The Horses started precisely at five minutes after three; the Course was one Mile in Circumference, they performed the first Round in two minutes, third in two minutes and a half. *Yorick* came out the fifth time round about 40 Rod before *Gift* they were both, when the Riders dismounted very lame; they run five Miles, and Carried 180 lb. Rode home in the Evening. Expence to the Boy  $7\frac{1}{2}$ .

*Saturday, November 27.* Robin and Nancy yet at Dancing-School. Mr. Harry Fantleroy called after dinner to see us. In the Evening Ben and I rode with him to his fathers; I was introduced to one Mr. Walker a Scotch Gentleman, lately a School-master but has quit, and is going in the Spring for the Gown to England.

*Sunday, November 28.* Rode to Church—the Parson was absent; it

<sup>1</sup> This interesting old church still stands, having survived the changes and vicissitudes of two centuries. It is one of the oldest homes of the Church of England in Virginia, having been built in 1706; it is now in good repair and is still regularly used as a place of worship by those of the Episcopal faith. It is said that the original silver communion service was given by Queen Anne. For a full account of Yeocomico Church see Bishop Meade's *Old Churches of Virginia*, II. 148-157. The minister of Cople Parish at this time was Rev. Thomas Smith.

<sup>2</sup> Son of George Lee of Mt. Pleasant in Westmoreland County. See the latter's will in *Lee of Virginia*, 141-144.

<sup>3</sup> Of Mt. Airy in Richmond County, a member of the Council.

is indeed a little cold ! The Clerk read prayers for us. We rode home. Found at Home two young Ladies, Miss Corbin and Miss Turburville and Mr. George Lee,<sup>1</sup> brother to the Gentleman here last Sunday, and has lately returned from England. I was introduced by Mr. Carter to the two latter.

*Sunday, December 12.* Rode to Nominy-Church, parson Smith preached 15 minutes. Advertisement at the Church door dated Sunday Decem<sup>r</sup> 12th. Pork to be sold to-morrow at 20/. per Hundred. dined with us to day Captain Walker, Colonel Rich<sup>d</sup> Lee,<sup>2</sup> and Mr. Lancelot Lee. Sat after dinner till Sunset, drank three Bottles of Medaira, two Bowls of Toddy !

*Monday, December 13.* Mr. Carter is preparing for a Voyage in his Schooner, the *Hariot*, to the Eastern Shore in Maryland, for Oysters : there are of the party, Mr. Carter, Captain *Walker* Colonel *Rich<sup>d</sup> Lee* and Mr. *Lancelot Lee*. With Sailors to work the vessel. I observe it is a general custom on Sundays here, with Gentlemen to invite one another home to dine, after Church ; and to consult about, determine their common business, either before or after Service. It is not the custom for Gentlemen to go into Church til Service is beginning, when they enter in a Body, in the same manner as they come out ; I have known the Clerk to come out and call them in to prayers. They stay also after the Service is over, usually as long, sometimes longer, than the Parson was preaching. Almost every Lady wears a red Cloak ; and when they ride out they tye a red handkerchief over their Head and face, so that when I first came into Virginia, I was distressed whenever I saw a Lady, for I thought she had the Tooth-Ach ! The People are extremely hospitable, and very polite both of which are most certainly universal Characteristics of the Gentlemen in Virginia. some swear bitterly, but the practise seems to be generally disapproved. I have heard that this Country is notorious for Gaming, however this be, I have not seen a Pack of *Cards*, nor a *Die*, since I left home, nor gaming nor Betting of any kind except at the Richmond-Race. Almost every Gentleman of Condition, keeps a Chariot and *Four* ; many drive with six Horses. I observe that all the Merchants and shopkeepers in the Sphere of my acquaintance and I am told it is the Case through the Province, are young Scotch-Men ; several of whom I know, as *Cunningham*, *Jennings*, *Hamilton*, *Blain* ; and it has been the custom heretofore to have all their Tutors, and Schoolmasters from Scotland, tho' they begin to be willing to employ their own Countrymen. Evening Ben Carter<sup>3</sup> and myself had a long dispute on the practice of fighting. He thinks it best for two persons who have any dispute to go out in good-humour and fight manfully, and says they will be sooner and longer friends than to brood and harbour malice. Mr. Carter is practising this evening on the *Guitar* He begins with the *Trumpet Minuet*. He

<sup>1</sup> George Fairfax Lee, of Mt. Pleasant. A letter of his, written from Christ's College, Cambridge, in November, 1772, is in *Lee of Virginia*, p. 302.

<sup>2</sup> Richard Henry Lee, the famous orator and statesman.

<sup>3</sup> The eldest son of Councillor Carter.

has a good Ear for Music : a vastly delicate Taste : and keeps good Instruments, he has here at Home a *Harpsichord, Forte-Piano, Harmonica, Guittar, Violin*, and *German Flutes*, and at Williamsburg, has a good *Organ*, he himself also is indefatigable in the Practice.

*Tuesday, December 14.* Busy in School. The Weather vastly fine ! There has been no Rain of consequence, nor any stormy or disagreeable Weather, since about the 10th of last Month ! From the Window, by which I write, I have a broad, a diversified, and an exceedingly beautiful Prospect of the high craggy Banks of the River *Nominy* ! Some of those huge Hills are covered thick with *Cedar*, and *Pine Shrubs* : a vast quantity of which seems to be in almost every part of this Province. Others are naked, and when the Sun Shines look beautiful ! At the Distance of about 5 Miles is the River Potowmack over which I can see the smoky Woods of Maryland ; at this window I often stand, and cast my Eyes homeward with peculiar pleasure ! Between my window and the potowmack, is Nominy Church, it stands close on the Bank of the River Nominy, in a pleasant agreeable place. Mr. Carters family go down often, so many as can with convenience in a Boat rowed by four Men, and generally arrive as soon as those who ride.

The mouth of Nominy River where it falls into Potowmack is about 25 miles above the mouth of Potowmack or where it falls into the Chesapeake-Bay. And about 12 Miles below the mouth of Nominy the River Ucomico puts up into the country, near which River, and about three miles from the mouth stands the lower parish Church of Westmorland-County call'd Ucomico Church. The River Potowmack opposite to us the People say is 10 miles over, but I think it is not more than 8. Afternoon Captain *Grigg*, who arrived last Sunday morning into the River Ucomico from *London* visited Mr. Carter. Evening reading Pictete.<sup>1</sup>

*Wednesday, December 15.* Busy in School. To day Dined with us Mrs. Turburville, and her daughter Miss Letty Miss Jenny Corbin,<sup>2</sup> and Mr. Blain. We dined at three. The manner here is different from our way of living in Cohansie. In the morning so soon as it is light a Boy knocks at my Door to make a fire ; after the Fire is kindled, I rise which now in the winter is commonly by Seven, or a little after. By the time I am drest the Children commonly enter the School-Room, which is under the Room I sleep in ; I hear them round one lesson, when the Bell rings for eight o-Clock (for Mr. Carter has a large good Bell of upwards of 60 Lb. which may be heard some miles, and this is always rung at meal Times ;) the Children then go out ; and at half after eight the Bell rings for Breakfast, we then repair to the Dining-Room ; after Breakfast, which is generally about half after nine, we go into School,

<sup>1</sup> Benedict Pictet, *Theologia Christiana*, 1696.

<sup>2</sup> Mrs. John Turburville of Hickory Hill, Westmoreland County ; her daughter Lettice Corbin Turburville, at this time a child, afterward the mother of Major-General Roger Jones, U. S. A., and of Commodore Thomas ap Catesby Jones ; and her sister Jane Corbin.

and sit til twelve, when the Bell rings, and they go out for noon ; the dinner-Bell rings commonly about half after two, often at three, but never before two. After dinner is over, which is common, when we have no Company, is about half after three we go into School, and sit til the Bell rings at five, when they separate til the next morning ; I have to myself in the Evening, a neat Chamber, a large Fire, Books, and Candle and my Liberty, either to continue in the School room, in my own Room, or to sit over at the great House with Mr. and Mrs. Carter. We go into Supper commonly about half after eight or at nine and I usually go to Bed between ten and Eleven. Altho the family in which I live, is certainly under as good political Regulations, and every way as suitable and agreeable as I can expect, or even could desire ; and though the Neighbourhood is polite, and the Country pleasant, yet I cannot help reflecting on my situation last winter, which was near the lovely *Laura*<sup>1</sup> for whom I cannot but have the truest, and the warmest Esteem ! Possibly, if Heaven shall preserve my life, in some future time, I may again enjoy her good society.

Mr. Carter heard this Evening that Captain *Walker* cannot go to Maryland, he is thus stop'd.

*Thursday, December 16.* I had the pleasure of walking to day at twelve o-Clock with Mrs. Carter ; She shewed me her stock of *Fowls* and *Mutton* for the winter ; She observed, with great truth, that to live in the Country, and take no pleasure at all in Groves, Fields, or Meadows ; nor in Cattle, Horses, and domestic Poultry, would be a manner of life too tedious to endure ; Dined at three.

*Saturday, December 18.* After Breakfast, we all retired into the Dancing Room, and after the Scholars had their Lesson singly round Mr. Christian, very politely, requested me to step a *Minuet* ; I excused myself, however, but signified my peculiar pleasure in the accuracy of their performance. There were several Minuets danced with great ease and propriety ; after which the whole company joined in country-dances, and it was indeed beautiful to admiration, to see such a number of young persons, set off by dress to the best advantage, moving easily, to the sound of well performed Music, and with perfect regularity, tho' apparently in the utmost Disorder. The Dance continued til two, we dined at half after three. soon after Dinner we repaired to the Dancing-Room again ; I observe in the course of the lessons, that Mr. Christian is punctual, and rigid in his discipline, so strict indeed that he struck two of the young Misses for a fault in the course of their performance, even in the presence of the Mother of one of them ! And he rebuked one of the young Fellows so highly as to tell him he must alter his manner, which he had observed through the Course of the Dance, to be insolent, and wanton, or absent himself from the School. I thought this a sharp reproof to a young Gentleman of seventeen, before a large number of Ladies ! When it grew too dark to dance, the young Gentlemen walked

<sup>1</sup> A reference to Miss Elizabeth Beatty of New Jersey, who married Philip Fithian in 1775, and to whom he always refers as the "Lovely Laura."

over to my Room, we conversed til half after six ; Nothing is now to be heard of in conversation, but the *Balls*, the *Fox-hunts*, the fine *entertainments*, and the good *fellowship*, which are to be exhibited at the approaching *Christmas*. I almost think myself happy that my Horses lameness will be a sufficient Excuse for my keeping at home on these Holidays. Mr Goodlet was barred out of his School last Monday by his Scholars, for Christmas Holidays, which are to continue til twelfth-day ; But my Scholars are of a more quiet nature, and have consented to have four or five Days now, and to have their full Holiday in May next, when I propose by the permission of Providence to go Home, where I hope to see the good and benevolent *Laura*.

When the candles were lighted, we all repaired, for the last time, into the dancing-Room ; first each couple danced a Minuet ; then all joined as before in the country Dances, these continued till half after Seven when Mr. Christian retired ; and at the proposal of several, (with Mr. Carters approbation) we played *Button*, to get Pauns for Redemption ; here I could join with them, and indeed it was carried on with sprightliness, and Decency ; in the course of redeeming my Pauns I had several Kisses of the Ladies ! Early in the Evening came colonel Philip Lee,<sup>1</sup> in a travelling Chariot from Williamsburg. Half after eight we were rung in to Supper ; The room looked luminous and splendid ; four very large candles burning on the table where we supped ; three others in different parts of the Room ; a gay, sociable Assembly, and four well instructed waiters ! So soon as we rose from supper, the Company formed into a semicircle round the fire, and Mr. Lee, by the voice of the Company was chosen *Pope*, and Mr. Carter, Mr. Christian, Mrs. Carter, Mrs. Lee, and the rest of the company were appointed Friars, in the Play call'd "break the Popes neck." Here we had great Diversion in the respective Judgments upon offenders, but we were all dismissed by ten, and retired to our several Rooms.

*Thursday, December 23.* This Evening, after I had dismissed the Children, and was sitting in the School-Room cracking Nuts, none present but Mr. Carters Clerk, a civil, inoffensive, agreeable young Man, who acts both in the character of a Clerk and Steward, when the Woman who makes my Bed, asked me for the key of my Room, and on seeing the young Man sitting with me, she told him that her Mistress had this afternoon given orders that their Allowance of Meat should be given out to them to-morrow. She left us ; I then asked the young man what their allowance is ? He told me that excepting some favorites about the table, their weekly allowance is a peck of Corn, and a pound of Meat a Head ! And Mr. Carter is allowed by all, and from what I have already seen of others, I make no Doubt at all but he is, by far the most humane to his Slaves of any in these parts ! Good God ! are these Christians ? When

<sup>1</sup> Philip Ludwell Lee (1727-1775) eldest son of President Lee, was a fellow-member with Robert Carter in the governor's council and took an active part in the commencement of the struggle for independence. He resided at Stratford and maintained the generous hospitality of his father.

I am on the Subject, I will relate further, what I heard Mr. George Lees Overseer, one Morgan, say the other day that he himself had often done to Negroes, and found it useful ; He said that whipping of any kind does them no good, for they will laugh at your greatest Severity ; But he told us he had invented two things, and by several experiments had proved their success. For Sullenness, Obstinacy, or Idleness, says he, Take a Negroe, strip him, tie him fast to a post ; take then a sharp Curry-Comb, and curry him severely til he is well scraped ; and call a Boy with some dry Hay, and make the Boy rub him down for several Minutes, then salt him, and unlose him. He will attend to his Business (said the inhuman Infidel) afterwards ! But savage Cruelty does not exceed His next diabolical Invention. To get a Secret from a Negro, says he, take the following Method—Lay upon your Floor a large thick plank, having a peg about eighteen Inches long, of hard wood, and very Sharp, on the upper end, fixed fast in the plank—then strip the Negro, tie the Cord to a staple in the Ceiling, so as that his foot may just rest on the sharpened Peg, then turn him briskly round, and you would laugh (said our informer) at the Dexterity of the Negro, while he was relieving his Feet on the sharpened Peg ! I need say nothing of these seeing there is a righteous God, who will take vengeance on such Inventions !

*Saturday, December 25.* I was waked this morning by Guns fired all round the House. The morning is stormy, the wind at South East rains hard Nelson the Boy who makes my Fire, blacks my shoes, does errands &c. was early in my Room, drest only in his shirt and Breeches ! He made me a vast fire, blacked my Shoes, set my Room in order, and wished me a joyful Christmas, for which I gave him half a Bit. Soon after he left the Room, and before I was Drest, the Fellow who makes the Fire in our School Room, drest very neatly in green, but almost drunk, entered my chamber with three or four profound Bows, and made me the same salutation ; I gave him a *Bit*, and dismissed him as soon as possible. Soon after my Cloths and Linen were sent in with a message for a Christmas *Box*, as they call it ; I sent the poor Slave a Bit, and my thanks. I was obliged for want of small change, to put off for some days the Barber who shaves and dresses me. I gave *Tom* the Coachman, who Doctors my Horse, for his care two Bits, and am to give more when the Horse is well. I gave to *Dennis* the Boy who waits at Table half a *Bit*. So that the sum of my *Donations* to the Servants, for this Christmas appears to be five Bits, a Bit is a pisterene<sup>1</sup> bisected ; or an English sixpence, and passes here for seven pence Halfpenny. the whole is 3<sup>s</sup> 1½<sup>d</sup>.

At Breakfast, when Mr. Carter entered the Room, he gave us the compliments of the Season. He told me, very civilly, that as my Horse was *Lame*, his own riding Horse is at my Service to ride when and where I choose.

<sup>1</sup> Pistareen, which then equalled about 19.4 of our cents ; half of it, 9.7 ; the English sixpence, 12.2 ; seven-pence-halfpenny Virginia money, 10.4.



Mrs. Carter was, as always, cheerful, chatty, and agreeable ; She told me after Breakfast several droll, merry Occurrences that happened while she was in the City Williamsburg.

This morning came from the Post-office at Hobbes-Hole, on the Rap-pahannock, our News-papers. Mr. Carter takes the Pennsylvania Gazette, which seems vastly agreeable to me, for it is like having something from home. But I have yet no Answer to my Letter. We dined at four o-Clock. Mr. Carter kept in his Room, because he breakfasted late, and on Oysters. There were at Table Mrs. Carter and her five Daughters that are at School with me—Miss *Priscilla*, *Nancy*, *Fanny*, *Betsy*, and *Harriot*, five as beautiful delicate, well-instructed Children as I have ever known ! *Ben* is abroad ; *Bob* and *Harry* are out ; so there was no Man at Table but myself. I must carve—Drink the Health—and talk if I can ! Our Dinner was no otherwise than common, yet as elegant a *Christmas Dinner* as I ever sat Down to. The table Discourse was Marriage ; Mrs. Carter observed that was she a Widow, she should scruple to marry any man alive ; She gave a reason, that She did not think it probable a man could love her grown old when the world is thronged with blooming, ripening Virgins ; but in fact Mrs. Carter looks and would pass for a younger Woman than some unmarried Ladies of my acquaintance, who would willingly enough make us place them below twenty ! We dined at four ; when we rose from table it was growing dark. The wind continues at South East and is stormy and muddy. While we supped Mr. Carter as he often does played on the *Forte-Piano*. He almost never sups. Last Night and to night I had large clear and very elegant Spermaceti Candles sent into my Room.

1774, *Tuesday, January 4.* The Family is most agreeable ! Mr. Carter is sensible, judicious, much given to retirement and Study ; his Company, and conversation are always profitable. His main Studies are Law and Music, the latter of which seems to be his darling Amusement. It seems to nourish as well as entertain his mind ! And to be sure he has a nice well judging Ear, and has made great advances in the Theory, and Practice of music.

Mrs. Carter is prudent, always cheerful, never without Something pleasant, a remarkable Economist, perfectly acquainted (in my Opinion) with the good-management of Children, intirely free from all foolish and unnecessary fondness, and is also well acquainted (for She has always been used) with the formality and Ceremony which we find commonly in high Life. *Ben*, the eldest, is a youth of genius : of a warm impetuous Disposition ; desirous of acquiring Knowledge, docile, vastly inquisitive and curious in mercantile, and mechanical Matters, is very fond of Horses and takes great pleasure in exercising them. *Bob*, the other Brother, is By no means destitute of capacity, As Mr. Marshal who was his last Tutor has asserted, and many now suppose : He is extremely volatile and unsettled in his temper, which makes it almost wholly impossible to fix him for any time to the same thing, On which account he has made but very little advancement in any one Branch of

Study, and this is attributed to Barrenness of Genius. He is slovenly, clumsy, very fond of Shooting, of Dogs, of Horses, but a very stiff un-toward *Rider*, good natur'd, pleased with the Society of persons much below his Family, and Estate, and tho' quick and wrathful in his temper yet he is soon moderated, and easily subdued. Harry the Nephew, is rather stoical, sullen, or saturnine in his make. He is obstinate, tho' Steady, and makes a slow uniform advance in his Learning, he is vastly kind to me, but in particular to my Horse, of his health or Indisposition.

Miss *Priscilla*, the eldest Daughter about 16, is steady, studious, docile, quick of apprehension, and makes good progress in what She undertakes; If I could with propriety continue in the Family, I should require no stronger Inducement than the Satisfaction I should receive by seeing this young Lady become perfectly acquainted with anything I propose as soon as I communicate it to her, but the situation of my affairs makes it out of my power to stay longer than a year; She is small of her age, has a mild winning Presence, a sweet obliging Temper, never swears, which is here a distinguished virtue, dances finely, plays well on key'd Instruments, and is on the whole in the first Class of the female Sex.

*Nancy*, the Second, is not without some few of those qualities which are by some (I think with great ill-nature, and with little or no truth) said to belong intirely to the fair Sex. I mean great curiosity, Eagerness for superiority, Ardor in friendship, But bitterness and rage where there is enmity. She is not constant in her disposition, nor diligent nor attentive to her business. But She has her excellencies, She is cheerful, tender in her Temper, easily managed by perswasion, and is never without what seems to have been a common Gift of Heaven to the *fair-Sex*, the "*Copia Verborum*," or readiness of Expression! She is only beginning to play the *Guitar*, She understands the Notes well, and is a graceful Dancer.

*Fanny* next,<sup>1</sup> is in her Person, according to my Judgment, the Flower in the Family. She has a strong resemblance of her *Mama* who is an elegant, beautiful Woman. Miss *Fanny* seems to have a remarkable Sedateness, and simplicity in her countenance, which is always rather chearful than melancholy; She has nothing with which we can find Fault in her Person, but has something in the Features of her Face which insensibly pleases us, and always when She is in Sight draws our Attention, and much the more because there seems to be for every agreeable Feature a correspondent Action which improves and adorns it.

*Betsy* next is young, quiet, and obedient.

*Harriot* is bold, fearless, noisy and lawless; always merry, almost never displeased; She seems to have a Heart easily moved by the force of Music; She has learned many Tunes and can strike any Note, or Succession of Notes perfectly with the Flute or Harpsichord, and is never wearied with the sound of Music either vocal or *Instrumental*.

These are the persons who are at present under my direction, and whose general character I have very imperfectly attempted to describe.

<sup>1</sup> Frances Carter married Major Thomas ap Thomas Jones, of the Revolutionary army.

Tuesday, January 18. Mrs. Carter, and the young Ladies came Home last Night from the Ball,<sup>1</sup> and brought with them Mrs. Lane, they tell us there were upwards of Seventy at the Ball; forty one Ladies; that the company was genteel; and that Colonel Harry Lee,<sup>2</sup> from Dumfries, and his Son Harry who was with me at College, were also there; Mrs. Carter made this an argument, and it was a strong one indeed, that to-day I must dress and go with her to the Ball. She added also that She Desired my Company in the Evening when she should come Home as it would be late. After considering a while I consented to go, and was dressed. we set away from Mr. Carters at two; Mrs. Carter and the young Ladies in the Chariot, Mrs. Lane in a Chair, and myself on Horseback. As soon as I had handed the Ladies out, I was saluted by Parson Smith; I was introduced into a small Room where a number of Gentlemen were playing Cards (the first game I have seen since I left Home) to lay off my Boots Riding-Coat &c. Next I was directed into the Dining-Room to see young Mr. Lee,<sup>3</sup> He introduced me to his Father. With them I conversed til Dinner, which came in at half after four. The Ladies dined first, when some Good order was preserved; when they rose, each nimble Fellow dined first. The Dinner was as elegant as could be well expected when so great an Assembly were to be kept for so long a time. For Drink, there was several sorts of Wine, good Lemon Punch, Toddy, Cyder, Porter, &c. About Seven the Ladies and Gentlemen begun to dance in the Ball-Room—first Minuets one Round; Second Giggs; third Reels; And last of All Country-Dances; tho' they struck several Marches occasionally. The Music was a French-Horn and two Violins. The Ladies were Dressed Gay, and splendid, and when dancing, their Silks and Brocades rustled and trailed behind them! But all did not join in the Dance for there were parties in Rooms made up, some at Cards; some drinking for Pleasure; some toasting the Sons of america; some singing "Liberty Songs" as they call'd them, in which six, eight, ten or more would put their Heads near together and roar, and for the most part as unharmonious as an affronted—. Among the first of these Vociferators was a young Scotch-Man, Mr. Jack Cunningham; he was nimis bibendo appotus; noisy, droll, waggish, yet civil in his way and wholly inoffensive. I was solicited to dance by several, Captain Chelton, Colonel Lee, Harry Lee, and others; But George Lee,<sup>4</sup> with great Rudeness as tho' half

<sup>1</sup> Given by Richard Lee of Lee Hall, Westmoreland County, commonly called Squire Lee, who represented that county in the General Assembly of Virginia almost continuously from 1757 to 1795.

<sup>2</sup> Lieut.-Col. Henry Lee of Leesylvania, near Dumfries, was a brother of "Squire" Lee, the host, and a first cousin of Richard Henry Lee; he was a member of the House of Burgesses and took an active part in all the exciting events of his time. Harry his son, who was graduated from Princeton College in 1773, became the celebrated cavalry leader of the Revolution, better known perhaps under the sobriquet of "Light-Horse Harry." His first wife was the "Divine Matilda," daughter of Philip Ludwell Lee. By his second wife, a Miss Carter, he had six children, of whom the best known is Gen. Robert E. Lee. Henry Lee was governor of Virginia, 1791-1794, and member of Congress.

<sup>3</sup> I. e., Henry Lee, Jr.

<sup>4</sup> Probably either George Fairfax Lee, son of George Lee of Mt. Pleasant, or George Lee, son of Col. Thomas Ludwell Lee of Bellevue.

drunk, asked me why I would come to the Ball and neither dance nor play Cards? I answered him shortly, (for his Impudence moved my resentment) that my Invitation to the Ball would Justify my Presence; and that he was ill qualified to direct my Behaviour who made so indifferent a Figure himself. Parson Smiths, and Parson Gibberns Wives danced, but I saw neither of the Clergymen either dance or game. At Eleven Mrs. Carter call'd upon me to go, I listened with gladness to the summons and with Mrs. Lane in the Chariot we rode Home, the Evening sharp and cold! I handed the Ladies out, waited on them to a warm Fire, then ran over to my own Room, which was warm and had a good Fire; oh how welcome! Better this than to be at the Ball in some corner nodding, and awaked now and then with a midnight Yell! In my Room by half after twelve; and exceeding happy that I could break away with Reputation.

*Saturday, January 29.* The Weather is as wintry here in every Respect as I have ever known it in New-Jersey. Mr. Carter has a Cart and three pairs of Oxen which every Day bring in four Loads of Wood, Sundays excepted, and yet these very severe Days we have none to spare; And indeed I do not wonder, for in the *Great House, School House, Kitchen, &c.* there are twenty Eight steady fires! and most of these are very Large! After Supper, when all had retired but Mrs. Carter, Mr. Carter and Myself, the Conversation being on serious Matters, Mr. Carter observed that he much dislikes the common method of making Burying Yards round Churches, and having them almost open to every Beast. He would have them at some small distance from the Church, neatly and strongly inclosed, and the Graves kept up decent, and plain, but would have no splendid, nor magnificent Monument, nor even stone to say "Hic jacet." He told us he proposes to make his own Coffin and use it for a chest til its proper use shall be required—That no Stone, nor Inscription be put over him—And that he would choose to be laid under a shady Tree where he might be undisturbed, and sleep in peace and obscurity. He told us, that with his own hands he planted, and is with great diligence raising a *Catalpa*-Tree at the Head of his Father who lies in his Garden.<sup>1</sup>

Mrs. Carter beg'd that She might have a Stone, with this only for a Monument, "Here lies *Ann Tasker Carter*." <sup>2</sup> with these things for my consideration I left them about ten and went to my cold Room, and was hurried soon to Bed; Not however without reflecting on the importance of our preparation for this great Change!

*Saturday, February 12.* After having dismissed the School I went over to Mr. Carters Study. We conversed on many things, and at length on the College of William and Mary at *Williamsburg*. He informed me that it is in such confusion at present, and so badly directed, that he cannot send his Children with propriety there for Improvement and useful Education. That he has known the Professors to play all Night at Cards in publick Houses in the City, and has often seen them drunken in the

<sup>1</sup> Robert Carter of Nominy Hall, son of "King" Carter, died about 1732.

<sup>2</sup> Mrs. Carter was the daughter of Hon. Benjamin Tasker, of Maryland.

Street! That the Charter of the College is vastly Extensive, and the yearly income sufficient to support a University being about 4.000£ Sterling. That the Necessary Expence for each Scholar yearly is only 15£ Currency. Two of the officers of the Institution, Mr. Bracken and Mr. Henly Clergymen are at present engaged in a paper War published weekly in the Williamsburg Gazette's.<sup>1</sup>

*Tuesday, March 1.* Afternoon Mr. Lane a young Gentleman, formerly my acquaintance at Princeton came to see me; with one Mr. Harrison. He stays all night.

*Thursday, March 3.* After Breakfast Mr. Lane left us, He was drest in black superfine Broadcloth; Gold-laced hat; laced Ruffles; black Silk Stockings; and to his Broach on his Bosom he wore a Majors Badge inscrib'd "Virtute and Silentio" cut in a Golden Medal! Certainly he was fine!

*Sunday, March 6.* Breakfasted at half after nine. Mr. Lane the other Day informed me that the *Anabaptists* in Loudon County are growing very numerous; and seem to be increasing in affluence; and as he thinks quite destroying pleasure in the Country; for they encourage ardent Pray'r; strong and constant faith, and an intire Banishment of *Gaming*, Dancing, and Sabbath-Day Diversions. I have also before understood that they are numerous in many County's in this Province and are Generally accounted troublesome. Parson *Gibbern* has preached several sermons in opposition to them, in which he has labour'd to convince his people that what they say are only whimsical Fancies or at most Religion grown to Wildness and Enthusiasm! There is also in these counties one Mr. Woddel,<sup>2</sup> a presbyterian Clergyman, of an irreproachable Character, who preaches to the people under Trees in summer, and in private Houses in Winter. Him, however, the people in general dont more esteem than the Anabaptists Preachers; but the People of Fashion in general countenance, and commend him. I have never had an opportunity of seeing Mr. *Woddel*, as he is this Winter up in the Country, but Mr. and Mrs. *Carter* speak well of him, Mr. and Mrs. *Fantleroy* also, and all who I have ever heard mention his Name.

*Friday, March 18.* I have all along intended, and shall now attempt to give a short description of Nomini-Hall, and the several Buildings, and improvements adjoining it; as well for my own amusement, as also

<sup>1</sup> John Bracken was from 1773 to 1818 minister of Bruton Church, Williamsburg, was made master of the grammar school, at the college, and was president for two years after the death of Bishop James Madison in 1812. Samuel Henley was professor of divinity and moral philosophy in the college, was a Tory, and left Virginia in 1775. In England he wrote numerous pamphlets on archaeological subjects, was the translator of Beckford's *Vathek*, and from 1805 to 1815 was principal of the East India College at Hertford.

<sup>2</sup> The celebrated Dr. James Waddell, the "Blind Preacher" of Wirt's *British Spy*, was settled in Lancaster and Northumberland counties from 1762 to 1788; but during the latter part of this period it was his custom, on grounds of health, to spend a part of the year in upper Virginia, where he lived constantly in later years. See Foote's *Sketches of Virginia*, I. 367-387.

to be able with certainty to inform others of a Seat as magnificent in itself and with as many surrounding Conveniences, as any I have ever seen, and perhaps equal to any in this Colony.

Mr. Carter now possesses 60000 Acres of Land ; and about 600 Negroes. But his Estate is much divided, and lies in almost every county in this Colony ; He has Lands in the Neighbourhood of Williamsburg, and an elegant and Spacious House in that City. He owns a great part of the well known Iron-Works near Baltimore in Maryland.<sup>1</sup> And he has one or more considerable Farms not far from Anapolis.

He has some large tracts of Land far to the West, at a place call'd " Bull Run," and the " Great Meadows" among the mountains. He owns Lands near Dumfries on the Potowmack ; and large tracts in this and the neighbouring Counties. Out of these Lands, which are situated so remote from each other in various parts of these two large Provinces, Virginia and Maryland, Mr. Carter has chosen for the place of his habitation a high spot of Ground in Westmoreland County at the Head of the Navigation of the River Nomini, where he has erected a large Elegant House, at a vast expence, which commonly goes by the name of *Nomini-Hall*. This House is built with Brick, but the bricks have been covered with strong lime Mortar ; so that the building is now perfectly white ; it is seventy-six Feet long from East to West ; and forty-four wide from North to South, two Stories high ; the Pitch of the lower story seventeen Feet, and the upper Story twelve. It has five Stacks of Chimneys, tho' two of these serve only for ornaments.

There is a beautiful Jutt, on the South side, eighteen feet long, and eight Feet deep from the wall which is supported by three tall pillars. On the South side, or front, in the upper story are four Windows each having twenty-four Lights of Glass. In the lower story are two Windows each having forty-two Lights of Glass, and two Doors each having Sixteen Lights. At the East end the upper story has three Windows each with eighteen Lights ; and below two Windows both with eighteen Lights and a Door with nine.

The North side I think is most beautiful of all ; In the upper Story is a Row of seven Windows with eighteen Lights a piece ; and below six windows, with the like number of lights ; besides a large Portico in the middle, at the sides of which are two Windows each with eighteen Lights. At the West end are no Windows. The Number of Lights in all is five hundred, and forty-nine. There are four Rooms on a Floor, disposed of in the following manner. Below is a dining Room where we usually sit ; the second is a dining-Room for the Children ; the third is Mr. Carters study<sup>2</sup> ; and the fourth is a Ball-Room thirty Feet long. Above

<sup>1</sup> Probably those established at Gwinn's Falls and Jones's Falls by the Baltimore Company, in which members of the Tasker family (Mrs. Carter's connections) were interested. Bishop, *History of American Manufactures*, I. 586.

<sup>2</sup> Fithian includes in his journal a catalogue of Colonel Carter's library—89 volumes folio, 76 quarto, 378 octavo, 502 duodecimo, and says that the Colonel had 458 volumes more at Williamsburg—1503 in all.



stairs, one Room is for Mr. and Mrs. Carter ; the second for the young Ladies ; and the other two for occasional Company. As this House is large, and stands on a high piece of Land it may be seen a considerable distance ; I have seen it at the Distance of six Miles.

At equal Distances from each corner of this Building stand four other considerable Houses, which I shall next a little describe. First, at the North East corner, and at 100 yards Distance stands the School House ;

At the North-West Corner, and at the same Distance stands the stable ; At the South-West Corner, and at the same Distance, stands the Coach-House ; And lastly, at the South-East, and at an equal distance stands the Wash-House. These four Houses are the corners of a Square of which the Great-House is the Center. First the School-House is forty five feet long, from East to West, and twenty-seven from North to South ; It has five well-finished, convenient Rooms, three below stairs, and two above ; It is built with Brick a Story and a half high with Dormant Windows ; In each Room is a fire ; In the large Room below-Stairs we keep our School ; the other two Rooms below which are smaller are allowed to Mr. Randolph the Clerk ; The Room above the School-Room Ben and I live in ; and the other Room above Stairs belongs to *Harry* and *Bob*. Five of us live in this House with great Neatness, and convenience ; each one has a Bed to himself.

And we are call'd by the Bell to the Great-House to Breakfast &c. The Wash-House is built in the same form, and is of the same Size of the School-House. From the front yard of the Great House, to the Wash-House is a curious *Terrace*, covered finely with Green turf, and about five foot high with a slope of eight feet, which appears exceeding well to persons coming to the front of the House. This *Terrace* is produced along the Front of the House, and ends by the Kitchen ; but before the Front-Doors is a broad flight of steps of the same Height, and slope of the *Terrace*.

The Stable and coach-House are of the same Length and Breadth as the School- and Wash-House, only they are higher pitched to be convenient for holding Hay and Fodder.

Due East of the Great House are two Rows of tall, flourishing, beautiful Poplars, beginning on a Line drawn from the School to the Wash-House ; these Rows are something wider than the House, and are about 300 yards Long, at the Eastermost end of which is the great Road leading through Westmorland to Richmond. These Rows of Poplars<sup>1</sup> form an extremely pleasant avenue, and at the Road, through them, the House appears most romantic, at the same time that it does truly elegant. The Area of the Triangle made by the Wash-House, Stable and School-House is perfectly level, and designed for a bowling-Green, laid out in rectangular Walks which are paved with Brick, and covered over with burnt Oyster-Shells. In the other Triangle, made by the Wash-House,

<sup>1</sup> These beautiful old trees are still the admiration of all who see them ; though the house and buildings have been gone for many years, this stately avenue survives with hardly a tree missing.

Stable, and Coach-House is the Kitchen, a well-built House, as large as the School-House ; Bake-House ; Dairy ; Store-House and several other small houses ; all which stand due West, and at a small distance from the great House, and form a little handsome Street. These Buildings stand about a quarter of a Mile from a Fork of the River Nomini, one Branch of which runs on the East of us, on which are two Mills ; one of them belongs to Mr. Turburville the other to Mr. Washington,<sup>1</sup> both within a mile. another branch of the River runs on the West of us, on which and at a small distance above the House stands Mr. Carter's Merchant Mill, which I have in other places described ; to go to the mill from the House we descend I imagine above an 100 Feet ; the Dam is so broad that two carriages may pass conveniently on it ; and the Pond from twelve to Eighteen Foot water. at the fork Mr. Carter has a Granary, where he lands his Wheat for the mill, Iron from the Works etc.

In the evening Mr. Carter sent for Ben and I to play over the *Sonata* which we have lately learn'd ; we performed it, and had not only Mr. Stadleys Approbation, but his praise ; he did me the honour to say that "I play a good Flute." He took a Flute also and play'd ; which put me in mind, at once, of the speech of the Shepherd in Virgil.—Non tu in Triviis, indocte, solebas Stridenti miserum Stipula disperdere carmen. For when compared to him, the best that Ben or I can do, is like Crows among Nightingales. We play'd till ten, and separated. I gave to Miss Harriot, for saying a good lesson, half a Bit.

*Tuesday, March 24.* At Breakfast Mr. Carter entertained us with an account of what he himself saw the other Day, which is a strong Representation of the cruelty and distress which many among the Negroes suffer in Virginia !

Mr. Carter dined at Squire Lees<sup>2</sup> some few Weeks ago ; at the same place, that day, dined also Mr. George Turburville and his Wife. As Mr. Carter rode up he observed Mr. Turburville's Coach-Man sitting on the Chariot-Box, the Horses off. After he had made his compliments in the House, He had occasion soon after to go to the Door, when he saw the Coachman still sitting, and on examination found that he was there fast chained ! The Fellow is inclined to run away, and this is the method which This Tyrant makes use of to keep him when abroad ; and So soon as he goes home he is delivered into the pityless Hands of a bloody Overseer ! In the Language of a Heathen I query whether cunning old *Charon* will not refuse to transport this imperious, haughty Virginian Lord When he shall happen to die over the Styx to the Elysian Gardens ; lest his Lordship in the passage should take affront at the treatment, and attempt to chain him also to the Stygean Galley for Life !

Or, In the language of a Christian, I query whether he may be admitted into the peaceful Kingdom of Heaven where meekness, Holiness, and Brotherly-Love, are distinguishing Characteristicks ?

<sup>1</sup> Presumably John Augustine Washington of Bushfield, younger brother of Gen. Washington.

<sup>2</sup> Richard Lee of Lee Hall ; see p. 301, note 1.

*Monday, April 4.* After Supper I had a long conversation with Mrs. Carter concerning Negroes in Virginia, and find that She esteems their value at no higher rate than I do. We both concluded, (I am pretty certain that the conclusion is just) that if in Mr. Carters, or in any Gentlemans Estate, all the Negroes should be sold, and the money put to Interest in safe hands, and let the Lands which these Negroes now work lie wholly uncultivated, the bare Interest of the Price of the Negroes would be a much greater yearly income than what is now received from their working the Lands, making no allowance at all for the trouble and Risk of the Masters as to the Crops, and Negroes. How much greater then must be the value of an Estate here if these poor enslaved Africans were all in their native desired Country, and in their Room industrious Tenants, who being born in freedom, by a laudable care, would not only enrich their Landlords, but would raise a hardy Offspring to be the Strength and the honour of the Colony.

*Thursday, April 7.* Mr. Carter proposes to set away soon after Dinner. He seems, however, to prepare himself for his Journey with all the sedateness of a philosopher. Besides the Commands he gave me yesterday, he desires me to wait on Mr. Willing Merchant in Philadelphia<sup>1</sup> and know if he will trade here for either Flour or Bread in any Quantity. He has given Ben and me an Invitation to ride and spend this Evening with him at Colonel *Tayloe's*. We set out about three; Mr. Carter travels in a small, neat *Chair*, with two waiting Men. We rode across the Country which is now in full Bloom; in every field we saw Negroes planting Corn, or plowing, or hoeing; we arrived at the Colonels about five, Distance twelve miles. Here is an elegant Seat!<sup>2</sup> The House is about the Size of Mr. Carters, built with stone, and finished curiously, and ornamented with various paintings, and rich Pictures. This Gentleman owns *Yorick*, who won the prize of 500£ last November, from Dr. Floods Horse Gift. In the Dining-Room, besides many other fine Pieces, are twenty four of the most celebrated among the English Race-Horses, Drawn masterly, and set in elegant gilt Frames. He has near the great House, two fine two Story stone Houses, the one is used as a Kitchen, and the other, for a nursery, and Lodging Rooms. He has also a large, well formed, beautiful Garden, as fine in every Respect as any I have seen in *Virginia*. In it stand four large beautiful Marble Statues. From this House there is a good prospect of the River *Rapahannock*, which opposite here is about two miles across; We can also from the chambers easily see the Town Hobbes-Hole and the Ships

<sup>1</sup> Thomas Willing (1731-1821), partner with Robert Morris in the great house of Willing and Morris; afterwards president of the Bank of North America, and of the Bank of the United States.

<sup>2</sup> Mt. Airy, the beautiful home of the Tayloe family, still stands. It was built in 1750, by Col. John Tayloe, and is one of the handsomest of all the old colonial mansions. The interior was destroyed by fire in 1844, but was rebuilt again by Mr. William Tayloe, within the same walls. Situated upon a high hill in Richmond County, it commands an extensive and beautiful view of the Rappahannock River and surrounding country.

which lie there. I was introduced by Mr. *Carter* to the Colonel, to Miss Polly, and to Miss Kitty<sup>1</sup> his daughters, and to a Lady (Mrs. Thornton) that happened there, and to a young Gentleman, Mr. Corbin. The young ladies played several tunes for us, and in good taste on the *Harpsichord*; We supp'd at nine; and had the usual Toasts.

*Friday, April 8.* The Ladies before breakfast gave us several tunes on the Harpsichord. About ten Mr. Carter set out for *Williamsburg*, to the general Court, which sits twice a year, each Time twenty four Days Sundays excluded. We had some agreeable conversation this morning; Horses seem to be the Colonels favourite topic. He inquired of me however, where I was born; where educated; and if I am pleased with *Virginia*. He told me he saw Dr. Witherspoon, and conversed with him an Evening last Fall, and is much pleased with his manner, and Qualities. He informed me that Dr. *Morgan* of Philadelphia<sup>2</sup> breakfasted with him a few Days ago; he calls the Doctor facetious, sensible, and prudent. The Colonel desired me to enquire for some Gentleman of undoubted ability to teach in a Family. I shall apply to Mr. *Sam'l Leek jun'r*<sup>3</sup> and if he declines I will look no further. Ben and I took our Leave about Eleven, and returned home.

*Saturday, April 9.* Mrs. Carter gave Ben liberty to go with me as far as Anopolis, provided we set out soon, and accordingly we propose to set off to-morrow or Monday morning, I begin therefore to prepare for the Ride. The Day is rainy and cold, and I am in a vastly disagreeable Humour.<sup>4</sup>

*Saturday, May 28.* I found Mr. and Mrs. Carter at home sitting together. They received me with great welcome. *Ben, Bob, Miss Fanny* and *Betsy* came in to see me. The others in bed. sup'd on *Crabs* and an elegant dish of Strawberries and cream. How natural, how agreeable, how majestic this place seems!

*Sunday, May 29.* The family is invited to dine with Mr. Turburville. Mr. and Mrs. *Carter*, Miss Priscilla and Nancy with three Servants went from Church. *Ben, Bob, Miss Fanny, Betsy* and *Harriot* with two Servants cross'd the River. Miss *Sally* with *Tasker* and one Servant rode in a Chair. Dined with us Captain Dennis, of the Ship *Peggy*;

<sup>1</sup> Mary Tayloe, we are told, married Mann Page of Spottsylvania in 1776, while Catharine married Landon Carter of Richmond County in 1780.

<sup>2</sup> Dr. John Morgan, F.R.S., one of the founders of the medical school at Philadelphia and one of its first and most eminent professors. Perhaps he was now returning from the journey to Jamaica, which he made in 1773 in order to obtain funds for the College of Philadelphia. In 1775 he was appointed by Congress director-general of the military hospitals and physician-in-chief to the American army.

<sup>3</sup> Of the class of 1774, then about to graduate at Princeton. As the best scholar in the class, he had been appointed by the faculty to deliver at Commencement the Latin salutatory. But a few days after the date of the text, on April 19, 1774, the trustees vacated the choice on the ground that Leake had taken a prominent part in the burning of Governor Hutchinson in effigy by the students, and had insulted a trustee who opposed their proceedings.

<sup>4</sup> A vacation intervenes, spent at Fithian's home in New Jersey.

Dr. Steptoe; and Mr. Cunningham. Politicks were the topic—and indeed the Gentlemen seemed warm. The Governor of this Province dissolved the Assembly last week after they had made a resolve that a general and solemn fast be observed thro' this whole Colony, on Account of the melancholy aspect of American Affairs at present, to be kept the first day of June, which is next Wednesday, when the alarming Act of Parliament which has lately come over is to take place at Boston.<sup>1</sup> Parson Smith accordingly gave it out at the Church to Day and it is to be observed. I only saw Miss Sally Panton, she did not dine with us. I am told She has an Estate in England of 50£ Sterling pr. Annum, but for some unknown cause came over, probably the same as drew me from home. After dinner we had a Grand and agreeable Walk in and through the Gardens. There is great plenty of Strawberries, some Cherries, Gooseberries &c. Drank Coffee at four, they are now too patriotic to use tea. Soon after we set out for Home. The young Ladies chose to walk and Cross the water with us. I am much more pleas'd with the Face of the Country since my return than I have ever been before. It is indeed delightful!

*Tuesday, May 31.* Very warm. I feel well reliev'd of the Fatigues of my ride. The lower Class of People here are in a tumult on the account of Reports from Boston, many of them expect to be press'd and compelled to go and fight the Britains! Evening I asked the Colonel if he proposed to observe the fast, and attend Sermon to-morrow; he answered that "No one must go from hence to Church, or observe the Fast at all." By this, (for it is hard to know his opinion from any thing he declares) I conclude he is a courtier.

*Saturday, June 18.* Towards evening 'Squire Lee call'd in, and brought a late London Newspaper in which we are informed that another Act of Parliament has pass'd taking from the People of Boston all power of trying any Soldier, or Person whether for committing any Crime: and obliging all such offenders to be sent home for legal Tryal.<sup>2</sup> Heaven only knows where these tumults will End! He informed us likewise that last Saturday in Richmond (our neighbor County) the people drest and burnt with great marks of Detestation the infamous Lord *North*. Mrs. *Carter*, after the 'Squire left us quite astonished me in the Course of the evening, with her perfect acquaintance with the American Constitution.

*Friday, June 24.* To Day in course Mr. Christians Dance happens here. He came before Breakfast. Miss *Jenny Washington*<sup>3</sup> came also,

<sup>1</sup> The Boston Port Bill went into operation on June 1, 1774. On May 24, 1774, the Virginia House of Burgesses passed a resolution expressing sympathy with the people of Boston, and declaring it "highly necessary that the said first day of June next be set apart by the members of this house, as a day of fasting, humiliation, and prayer, devoutly to implore the Divine interposition for averting the heavy calamity which threatens destruction to our civil rights, and the evils of civil war." In consequence of this act, Governor Dunmore on the following day dissolved the house.

<sup>2</sup> 14 Geo. III. c. 39.

<sup>3</sup> Presumably Gen. Washington's niece, the daughter of John Augustine Washington and sister of Bushrod Washington. She subsequently married her cousin Col. William Augustine Washington.

and Miss *Priscilla Hale* while we were at Breakfast. Miss Washington is about seventeen; She has not a handsome Face, but is neat in her Dress, of an agreeable Size, and well proportioned, and has an easy winning Behaviour; She is not forward to begin a conversation, yet when spoken to she is extremely affable, without assuming any Girlish affectation, or pretending to be overcharg'd with Wit; She has but lately had opportunity of Instruction in Dancing, yet She moves with propriety when she dances a *Minuet* and without any *Flirts* or vulgar *Capers*, when She dances a *Reel* or *Country-Dance*: She plays well on the Harpsichord, and Spinnet; understands the principles of Musick, and therefore performs her Tunes in perfect time, a Neglect of which always makes music intolerable, but it is a fault almost universal among young Ladies in the practice; She sings likewise to her instrument, has a strong, full voice, and a well-judging Ear; but most of the Virginia-Girls think it labour quite sufficient to thump the Keys of a Harpsichord into the air of a tune mechanically, and think it would be Slavery to submit to the Drudgery of acquiring Vocal Music; Her Dress is rich and well-chosen, but not tawdry, nor yet too plain; She appears to Day in a Chintz cotton Gown with an elegant blue Stamp, a Sky-Blue silk Quilt, spotted Apron; Her Hair is a light Brown, it was crap'd up, with two Rolls at each Side, and on the top a small cap of beautiful Gauze and rich Lace, with an artificial flower interwoven. Her person and carriage at a small distance resembles not a little my much respected *Laura*. But on close examination her Features are something masculine, those of *Laura* are mild and delicate. Mr. *Christien* very politely requested me to open the Dance by stepping a Minuet with this amiable Girl, but I excused myself by assuring Him that I never was taught to Dance. Miss Hale is about fourteen; a slim, puny silent Virgin; She has black Eyes, and black Hair, a good sett of Eye-Brows, which are esteem'd in Virginia essential to Beauty; She looks innocent of every human Failing, does not speak five Words in a Week, and I dare say from her Carriage that her Modesty is invincible; She is drest in a white Holland Gown, cotton Diaper Quilt very fine, a Lawn apron, has her Hair crap'd up; and on it a small Tuft of Ribbon for a Cap. She is but just innitiated into the School, and only hobbles yet. Once I saw her standing; I rose immediately and begg'd her to accept my Chair; She answered most kindly, "Sir I thank you," that was all I could extract from this Wonder of the Sex for the two Days she stay'd, and I seemed to have an equal Share too in the Favours of her Conversation; so that I cannot be any way particular in describing the mental faculties of Miss *Hale*, it is sufficient to say that I think she is far removed from most of the foibles of Women. Some time after these came Colonel Lee's Chariot with five young Misses. These five, with Miss Washington and Miss Hale and Miss Nancy Carter, and Bob are Mr. *Christiens* Compliment of Scholars in this School except Miss *Turburville* who is just now up the country with an Uncle, where She is to Stay some time together with Miss *Corbin*. Miss *Betsy Lee*<sup>1</sup> is about

<sup>1</sup> Probably Elizabeth, daughter of John Lee of Essex, a nephew of President Thomas Lee.



thirteen; a tall slim genteel Girl; She is very far from Miss Hale's taciturnity, yet is by no means disagreeably forward; She dances extremely well, and is just beginning to play the Spinet. She is drest in a neat shell Callico Gown, has very light Hair done up with a Feather, and her whole carriage is easy inoffensive, and graceful. The other Miss Lee's are small. Towards evening came in George Lee, and Mr. *Grubb*, an English Gentleman; the Company danced after candle-light a Minuet round, three Country-Dances, several Reels, when we were rung to Supper after Supper we set til twelve drinking loyal Toasts.

*Sunday, July 10.* A Sunday in Virginia dont seem to wear the Same Dress as our Sundays to the Northward. Generally here by five o-Clock on Saturday every Face (especially the Negroes) looks festive and cheerful. All the lower class of People, and the Servants, and the Slaves, consider it as a Day of Pleasure and amusement, and spend it in such Diversions as they severally choose. The Gentlemen go to Church to be sure, but they make that itself a matter of convenience, and account the Church a useful weekly resort to do Business.

*Saturday, July 16.* [Invited to accompany the colonel on a trip, by water, down the River Machodock to the Potowack, then up the Nomini]. The *Colonel*, *Ben* and *myself* rode on Horse-back about Six to Mr. *Atwels*; four lusty, hearty Men had gone on foot before who were Oarsmen; Here we were to enter a Boat never Rowed before, and proceed down the River Machodock to Mr. *Carters* Store-Houses which are now building near the mouth of that River. But I am going to venture upon a Description of a Scene which I am sure I will not do Justice to—A Scetch of three Rivers—Their Beautiful Banks—Several Gentlemens Seats—Their commodious harbours—In particular that near which Mr. *Carter* is erecting Store Houses. The whole is to be an account of our peregrination this 16th burning day of July 1774.

I have said, that we rode on Horseback to Mr. *Atwels* where we were to go on board and have our Horses sent back. This House is called six Miles from the mouth of Machodock. It stands on the Bank of the River; The Boat that carried us is built for the purpose of carrying the young Ladies and others of the Family to Nominy Church. It is a light neat *Battoe* elegantly painted and is rowed with four Oars. We went on board; The Sun beamed down upon us, but we had each an Umberella. The River is here about Gunshot over; the Banks are pretty low, but hard to the very Water. I was delighted to see Corn and Tobacco growing, or Cattle and Sheep feeding along the Brink of this River on both Sides, or else Groves of Pines, Savins and Oaks growing to the side of the Bank. We passed by an elegant small Seat of Mr. *Beal*; it was small, but it was neat. We arrived at Mr. *Carters* Store-Houses in 50 minutes, they are 5 Miles from Mr. *Atwels*, and one from Potowmack. These Houses are building for the reception of Iron, Bread, Flour &c. there are two Houses each 46 Feet long by 20. They stand at the Bottom of a Bay which is a safe and spacious harbour. Here we Breakfasted at ten, At twelve we pushed off from thence and rowed by parson Smiths Glebe

and in sight of his house in to the broad beautiful Potowmack. I think it is here ten Miles or twelve over has a fine high hard Bank ; no Marshes, but Cornfields, Trees or Grass ! Up the lovely Water we were rowed six Miles into the Mouth of Nominy. We went on Board a small Schooner from *Norfolk* which lay in Nominy-Bay. Mr. Carter is loading her with Flour and Iron. Here we were in sight of Stratford,<sup>1</sup> Colonel Lee's Seat. We were in sight too of Captain Cheltons. And of Colonel Washingtons<sup>2</sup> Seat at Bushfield. From the Schooner we Rowed up Nominy-River. I have forgot to remark before that from the time of our setting out as we were going down Machodock, and along the Potowmack-Shore, and especially as we were rowing up Nominy we saw Fishermen in great numbers in Canoes, and almost constantly taking in Fish, Bass and Perch. This was beautiful ! The entrance of Nomini is very shoal, and stony, the Channel is very narrow, and lies close to the Eastermost Side. On the edges of these shoals, or in Holes between the Rocks is plenty of Fish. The Banks of Nominy are steep and vastly high, twenty or thirty Feet, and in some places almost perpendicular ; The Course of the River is crooked, and the prospects on each Side vastly romantic and diversified. We arrived at the Granary near Nominy-Hall about six. I went to my room to take off an Account of the expedition.

*Tuesday, August 2.* Ben and I drest ourselves pretty early with an intention to Breakfast with Colonel *Tayloe*, but the Servant who went with us was so slow in preparing that we breakfasted before we set out. We arrived at Colonel *Tayloe*'s however by half after nine. The young Ladies we found in the Hall playing the Harpsichord. The morning cool with a fine Breeze from the North for I forgot to mention that about Midnight last Night a violent Gust of Blackness, Rain and Thunder came on and gave us present Relief from the scorching Sun ; there was no Dust and the riding was pleasant. The Colonel, his Lady, Miss Polly, Miss Kitty, Miss Sally,<sup>3</sup> rode in their Great Coach to the Ferry. Distance about 4 miles. Ben and I on Horseback. From Colonel *Tayloe*'s to this Ferry opposite to Hobbs's Hole the Land is level and extremely good ; Corn here looks very rank is set thick with Ears, and they are high and large, three commonly on a Stalk. Here I saw about an Acre and a half of Flax, which the people were just pulling, exceedingly out of Season. This is the only Flax I have seen since I have been in the Colony ; I am told they raise much in the upper Counties. Here too is a great Marsh covered with thick high Reed. The Face of this part of the Country looks fertile, but I apprehend it is far from being healthy. We came to the Bank of the Rappahannock ; it is here about 2 Miles over the Shipping on the other Side near the Town lying at Anchor looks fine ; no large Vessels can haul along the Wharves on account of shoal Water. There were six Ships riding in the Harbour, and a number of

<sup>1</sup> The famous old mansion at Stratford (see Lee's *Lee of Virginia*, pp. 114-120) was at this time occupied by Col. Philip Ludwell Lee.

<sup>2</sup> Col. John Augustine Washington, the future general's younger brother.

<sup>3</sup> Afterward the third wife of Col. William Augustine Washington.

Schooners and smaller Vessels. Indeed, says Mrs. *Taylor*, Captain *Dobby* has forgot us, here we have been waiting for a full half hour, shall we take the Ferry Boat Colonel and cross over, and not stand any longer in the burning heat? I was pleased not a little with the proposal, tho' at the same time, I laughed with myself at Mrs. *Taylor*'s truly Womanish impatience! At last they are coming. The long-Boat came, well furnished with a large Awning, and rowed with four Oars. We entered the Ship about half after twelve where we were received by Captain *Dobby*, with every possible token of welcome.

Since I have been in Virginia, my inclination, and my fixed purpose before I left home, both of which were very much assisted by a strict Attention to the instructing my little Charge, these have kept me pretty constantly, almost wholly, indeed out of that kind of Company where dissipation and Pleasure have no restraint. This entertainment of Captain *Dobby*'s, elegant indeed, and exceedingly agreeable, I consider as one among a prodigious throng of more powerful similar Causes, of the fevers and other Disorders which are common in this Colony, and generally attributed to the Climate which is thought to be noxious and unhealthy. The Weather here indeed is remarkably variable But taking away and changing the usual and necessary Time of Rest; Violent Exercise of the Body and Spirits; with drinking great quantities of variety of Liquors, these bring on Virginia Fevers. The *Beaufort* is a stately Ship; Captain *Dobby* had an Awning from the Stern over the Quarter quite to the Mizzen-Mast, which made great Room, kept off the Sun, and yet was open on each Side to give the Air a free passage. At three we had on Board about 45 Ladies, and about 60 Gentlemen besides the Ships Crew, and Waiters, Servants &c. We were not throng'd at all, and dined all at twice. I was not able to inform myself, because it seemed improper to interrupt the General pleasure, with making circumstantial inquiries concerning Individuals, and saying pray, Sir, what young Lady is that yonder in a Lute-String Gown? She seems genteel; where does her Father live? Is she a Girl of Family and Breeding? Has She any Suitors? This when one could not be out of the Inspection of the Company, would have seemed impertinent so that I did not much enlarge my Acquaintance with the Ladies, which commonly seems pleasing and desirable to me; But I took Notice of Several, and shall record my remarks.

The Boats were to Start, to use the Language of Jockeys, immediately after Dinner; A Boat was anchored down the River at a Mile Distance; Captain *Dobby* and Captain *Benson* steer'd the Boats in the Race. Captain *Benson* had 5 Oarsmen; Captain *Dobby* had 6. It was *Ebb-Tide*. The Betts were small, and chiefly given to the Negroes who rowed. Captain *Benson* won the first race. Captain *Purchase* offered to bett ten Dollars that with the same Boat and same Hands, only having Liberty to put a small Weight in the Stern, he would beat Captain *Benson*. He was taken, and came out best only half the Boats Length. About Sunset we left the Ship and went all to Hobbs's Hole, where a *Ball* was agreed on. This is a small Village, with only a few Stores, and Shops, it is on a

beautiful River, and has I am told commonly six, eight and ten Ships loading before it the Crews of which enliven the Town. Mr. Ritche Merchant; he has great influence over the People, he has great Wealth; which in these scurvy Times gives Sanction to Power; nay it seems to give countenance to Tyranny.

—The Ball Room—

25 Ladies—40 Gentlemen—The Room very long, well-finished, airy and cool, and well-seated—two Fidlers. Mr. Ritche stalk'd about the Room. He was Director, and appointed a sturdy two fisted Gentleman to open the Ball with Mrs. Tayloe. He danced midling tho'. There were about six or eight married Ladies. At last Miss Ritche danced a Minuet with——She is a tall slim Girl, dances nimble and graceful. She was Ben Carters partner. Poor Girl She has had the third Day Ague for twelve months past, and has it yet She appeared in a blue Silk Gown; Her Hair was done up neat, without powder, it is very Black and Set her to good Advantage. Soon after her danced Miss Dolly Edmundson—A Short pretty Stump of a Girl; She danced well, sung a Song with great applause, seemed to enter into the Spirit of the entertainment. A young Spark seemed to be fond of her; She seemed to be fond of him; they were both fond, and the Company saw it. He was Mr. Ritche's Clerk, a limber, well dress'd, pretty-handsome Chap he was. The insinuating Rogue waited on her home, in close Hugg too, the moment he left the Ball-Room. Miss Aphia Fantleroy danced next, the best dancer of the whole absolutely. And the finest Girl. Her head tho' was powdered white as Snow, and crap'd in the newest Taste. She is the Copy of the goddess of Modesty. Very handsome; she seemed to be loved by all her Acquaintances, and admired by every Stranger. Miss McCall——Miss Ford——Miss Brokenberry——Ball——Two of the younger Miss Ritche's——Miss Wade.—They danced till half after two, Captain Ritche invited Ben and I, Colonel Tayloe and his Family with him. We got to Bed by three after a Day spent in constant Violent exercise, and drinking an unusual Quantity of Liquor; for my part with Fatigue, Heat, Liquor, Noise, Want of sleep, And the exertion of my Animal spirits, I was almost brought to believe several times that I felt a Fever fixing upon me, attended with every Symptom of the Fall Disorders.

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I gave the Boatswain a Pisterene for his trouble. Half a Bit for the Pasture of my Horse. We rode to Colonel Tayloe's. The Ladies all retired for a nap before Dinner, we sat in the Hall, and conversed with the Colonel a sensible, agreeable sociable person. Miss Garrot is Governess of the young Ladies; She too is chatty, satirical, neat, civil, had many merry remarks at Dinner, we staid til about six took our Leave, and rode Home. Found all well; gave an account of ourselves, of our entertainment, and of our Company to Mr. and Mrs. Carter at Coffee, and retired soon to Bed.

*Saturday, August 13.* Evening came in Colonel Henry Lee. He is chosen<sup>1</sup> to be one of the seven who represent this Colony in the General Congress to be held next Month in Philadelphia. He sets out next Sunday Sennight.

*Thursday, August 25.* Still stormy. The Gentlemen who are sailing up the Bay to the Congress have a disagreeable time. This is a true August Northeaster, as we call it in Cohansie. Ben is in a wonderful Fluster lest he shall have no company to-morrow at the Dance. But blow high, blow low, he need not be afraid; Virginians are of genuine Blood. They will dance or die! I wrote some at my Letter for Mr. Peck.<sup>2</sup> The people here pronounce shower "Sho-er." And what in New Jersey we call a Vendue here they [call] a "Sale." All Taverns they call "Ordinary's." When a Horse is frolicsome and brisk, they say at once he is "gayly." She is mischievous, they call him "vicious." At five, with Ben, I rode out for exercise. After a while we arrived at George Lee's. He gave us some excellent Peaches. He returned with us to Mr. Turberville's. We met here with Miss Betsy Lee,<sup>3</sup> Mr. Grubb, Lancelot Lee and here we spent the evening. Fish-Feasts, and Fillies, Loud disputes concerning the Excellence of each others Colts—Concerning their Fathers, Mothers (for so they call the Dams) Brothers, Sisters, Uncles, Aunts, Nephews, Nieces, and Cousins to the fourth Degree! All the Evening Toddy constantly circulating. Supper came in, and at Supper I had a full, broad, satisfying view of Miss Sally Panton. I wanted to hear her converse, but poor Girl anything She attempted to say was drowned in the more polite and useful Jargon about Dogs and Horses! For my Part, as I was unwilling to be singular, if I attempted to push in a word, I was seldom heard, and never regarded, and yet they were constantly refering their Cases to me, as to a supposed honest fellow, I suppose because I wear a black Coat, and am generally silent; at Home I am thought to be noisy enough; here I am thought to be silent and circumspect as a Spy. How different the Manners of the People! I try to be as cheerful as I can, and yet I am blamed for being stupid as a Nun.

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noon our new Coach. It is a plain carriage, upper part black, lower Sage or Pea-Green. The Harness is neat strong, and suitable for the Country. Price 120£ Sterling. In the same Ship Mrs. Carter imports about 30£ value in plate in a pair of fashionable Goblets; Pair of beautiful Sauce-Cups; and a Pair of elegant Decanter-Holders. Ben introduced into our Room a plain useful Book-Case, in which we class and place our Books in order. after School, I took a Book, and walked through the Pasture strolling among Horses, Cows, and Sheep, grazing on the Hills and by the River.

*Friday, September 16.* Mrs. Carter, this morning, with *Prissy, Nancy, and Bob* went in the New-Coach to the *Dance* at Stratford,<sup>1</sup> the morning is mild, fair and cool. The Colonel informed me that now his Mill-House Bake Houses, Store Houses &c. with a clear unobstructed navigation is compleated, and that, he will rent them all to a Person properly qualified, or gladly employ a person who is capable, trusty and industrious enough to be the sole Director of so great and valuable Property. Dined with us captain Walker. He threw out several exceeding unpopular Sentiments with regard to the present amazing Disturbances through the Colonies. One in special I think proper to record because it fixes his Character, and declares him, in Spite of all pretence, an enemy to America. He asserted that no Officers (at Boston or elsewhere) are obliged, either by Law, or Right, to question or refuse any kind of orders which they receive from their Sovereign, or commanding Officer. But I count every man, who possesses and publishes such sentiments in this Crisis of the Fate of a vast Empire, as great an enemy to America at least, as Milton's *Arch-Devil* was to Mankind!

*Monday, September 19.* The morning fine and cool, and produces in our School at last a fine Fire! Fire looks and feels most welcome; and I observe it makes our children remarkably garrulous and noisy. I took cold by Saturdays unusual exercise, and to Day have a Pain through my head, sore throat, and the other common troubles in a Cold. This Day begins the examination of the Junior class at Nassau-Hall. Every time I reflect on that Place of retirement and Study, where I spent two years which I call the most pleasant as well as the most important Period in my past life—Always when I think upon the *Studies*, the *Discipline*, the *Companions*, the *Neighbourhood*, the *exercises*, and *Diversions*, it gives me a secret and real Pleasure, even the Foibles which often prevail there are pleasant on recollection; such as giving each other *names* and *characters*; Meeting and Shoving in the dark entries: knocking at Doors and going off without entering; Strowing the entries in the night with greasy Feathers; freezing the Bell; Ringing it at late Hours of the Night;—I may add that it does not seem disagreeable to think over the Mischiefs often practised by wanton Boys—Such are writing witty pointed anonymous Papers, in *Songs*, *Confessions*, *Wills*, *Soliloquies*, *Proclamations*, *Advertisements* &c—Picking from the neighbourhood now and then a plump fat Hen or Turkey for the private entertainment of the Club

<sup>1</sup> The house of Col. Philip Ludwell Lee. See above, p. 297. note 1; p. 312, note 1.

"instituted for inventing and practising several new kinds of mischief in a secret polite Manner"—Parading bad Women—Burning Curse-John—Darting Sun-Beams upon the Town-People Reconnoitering Houses in the Town, and ogling Women with the Telescope—Making Squibs, and other frightful compositions with Gun-Powder, and lighting them in the Rooms of timorous Boys and *new comers*—The various methods used in naturalizing Strangers, of incivility in the Dining-Room to make them bold; writing them sharp and threatening Letters to make them smart; leading them at first with long Lessons to make them industrious—And trying them by Jeers and Repartee in order to make them choose their Companions &c &c.

*Sunday, September 25.* The morning clear cool and very dry. I rode to Ucomico-Church. I was surprised when the Psalm begun, to hear a large Collection of voices singing at the same time, from a Gallery, entirely contrary to what I have seen before in the Colony, for it is seldom in the fullest Congregation's, that more sing than the Clerk, and about two others! I am told that a singing Master of good abilities has been among this society lately and put them on the respectable Method which they, at present pursue. I dined at Mr. *Fishers*, among others, I saw there, Dr. *Steptoe*, and Mr. *Hamilton* who have lately been to Philadelphia. They give various reports concerning political affairs, and as to the Congress nothing certain, so that I say nothing on that Score. Their Remarks on the City and Inhabitants: The Country &c are curious. They allow the City to be fine, neat, and large; they complain a little of the small Rooms, Uniformity of the Buildings, and several other like faults. They call the Inhabitants grave and reserved; and the Women remarkably homely, hard favour'd and sour! One Colonel Harrison<sup>1</sup> from a lower County in this Colony, offer'd to give a Guinea for every handsome Face that could be found in the City, if any one would put a Copper on every Face that did not come up to that Character! This is an impeachment of the Ladies which I have never heard before. I do not give my opinion either for or against it. The face of the Country, and the method of farming that way delights them: but at this I dont wonder.

*Friday, September 30.* Warm, but clear and dry. Dined with us Mr. *Blain*; he gave us a large account of affairs at the Congress, of the City, Country, Manners, Persons, Trade &c. But he swears the Women are coarse and hardy. Evening I informed the Colonel that it is hardly probable I shall continue in his family til his return from the general Court. And at the same time, desired him to give me a discharge, so that I expect to have all things adjusted before he leaves Home. We have now entered on the Winter plan, have Coffee just at evening and Supper between eight and nine o-Clock. It is wonderful to consider the Consumption of provisions in this family. I have before spoken of Meat, and the steady Rate of flour weekly, for the great House is 100 Lb of which 50 is the finest, and 50 the Seconds. But all the Negroes, and most of the Labourers eat Corn.

<sup>1</sup> Doubtless Col. Benjamin Harrison, the signer.

*Monday, October 3.* After Breakfast the Colonel settled and paid me for my Years Service 40 £ Sterling. This is better than the scurvy annuity commonly allowed to the Presbyterian Clergy. He is very Busy in adjusting his affairs, he set out however, by twelve for Williamsburg, after taking final leave of me. *Ben* accompanies him to Richmond Court. Afternoon Miss Corbin and Miss Turberville came in to stay a while with Mrs. *Carter*.

Bob went yesterday to Mr. Lanes there was Parson *Gibbern* ill of his last weeks Bout; he was up three nights successively drinking and playing at Cards, so that the liquor and want of sleep put him quite out of his Sences. A rare tale this to relate of a Man of God! To use the language of the vulgar, "Old Satan will sadly belabour such overgrown Sinners"!

*Wednesday, October 12.* I was told often before I left Home that coming into Virginia would bring me into the midst of many dangerous Temptations; Gay Company, frequent entertainments, little practical devotion, no remote pretention to Heart religion, daily examples in Men of the highest quality of Luxury, intemperance, and impiety; these were urged, by my kind acquaintances, as very strong dissuasions against my leaving home; the admonitions I accepted with great Thankfulness, tho' I could not allow them to turn me off from my purpose and I resolved with as much sincerity and Firmness as I could to carry them with me in every part of my behaviour. The close of the time of my Stay here is I expect now near at hand: And if I may judge myself of the carrying my resolutions into practice, I should pronounce that I have not been wanting in my duty in this respect. Some few who frequently ask me to go from home, say I am dull, unsociable, and splenetic: But the Gentlemen generally here have a good and reasonable manner of judging in this case they are well pleased with strict and rigid virtue, in those who have the management of their children, if it does not grow to factious enthusiasm; so that Levity, tho' perhaps they would wink at it lessens, and in a while would take away the Reputation and business of a Family Tutor. Of this I was fully convinced in a short time after my coming into the Colony, and saw too the very great advantage of the Precaution which I received of my friends, for they assisted me in setting out in a safe and prudent Plan, which has, I hope directed me to propriety of conduct with regard to my private character, and likewise to my little lovely Charge.<sup>1</sup>

*Tuesday, December 6.* The Committee, Messrs. Greenman, Chestnut, Green, Achan and Hollingshead, met at Pittsgrove according to appointment; It was opened with a Sermon, by Mr. Hollingshead. Soon after which they proceeded to examine me in natural and Moral Philosophy, Geography, and divinity. All which they finished about nine in the evening and then gave me a Licence to preach the Gospel. I feel

<sup>1</sup> The writer left Nominy Hall on October 20, and reached his home in southern New Jersey on the 25th. His final trials before the Presbytery at Neshaminy began on November 3, but were adjourned to December 6, 1774.

myself not able ; I feel myself unqualified ; I feel myself unworthy, and every way vastly unequal to this great undertaking. Give me Strength, O Shepherd of Israel ; furnish me with every necessary qualification ; with wisdom, Fidelity, Zeal, Prudence and Perseverance. May I have in my own heart much of the meekness and Spirit of the Gospel, and may I have a sense of my duty in these times of distraction and Misery. Furnish me with an uniform and unbiass'd love for my country and give me courage to engage in every method that has a tendency to save her from Ruin, even if my life should be in Danger in the Competition.<sup>1</sup>

<sup>1</sup> Within two years Philip Fithian, as has been mentioned in the introduction, died in the service of his country.

## REVIEWS OF BOOKS

*The Study of History in Schools ; Report to the American Historical Association by the Committee of Seven : ANDREW C. McLAUGHLIN, Chairman ; HERBERT B. ADAMS, GEORGE L. FOX, ALBERT BUSHNELL HART, CHARLES H. HASKINS, LUCY M. SALMON, H. MORSE STEPHENS. (New York : The Macmillan Co. 1899. Pp. ix, 267.)*

THE newer school studies are slowly taking on what may be called an "educational form." Out of their wealth of material a selection is being made and arranged in order of presentation, logical and psychological. Some day there will be substantial agreement upon these matters not only as to history, but as to geography, the mother-tongue, the modern European languages and the natural sciences as well. Greek, Latin and mathematics have been tempered in the furnace of experience until they have an educational form which, whether good or bad, is well recognized and easily followed. The subjects which have more recently entered the course of study are in a quite different position. They have yet to acquire an accepted educational form.

The newer subjects are likely, in course of time, to have this advantage over the older ones : their educational form will have been arrived at by reflection and comparative study, and not merely by a process of more or less instructive experience and of more or less faithful imitation. It is to be asked, for example, of each claimant for a place in the school, why should this subject be studied in school at all ; what is its relation to our insight into our civilization and our individual and collective effectiveness ; what are its points of contact with human interests and with other subjects of study ; on what principle is its material to be selected for teaching purposes ; how is this material to be presented ; what is its relative value, and what share of time and of emphasis are its due ? When these questions are satisfactorily answered we not only arrive at an educational form for our subject, but we understand the grounds and the limitations of that form.

Writers of history would never succeed in giving to it an acceptable educational form. One may read Droysen's *Grundriss der Historik*, Goldwin Smith's *Lectures on the Study of History*, Freeman's *Methods of Historical Study*, and Bishop Stubbs and Lord Acton on the study of history, and while gaining inspiration, enthusiasm and a wealth of ideas, remain as far from the knowledge of the best educational form for history as before. That knowledge must come and can only come from the



labors of the student of education itself and from those of the skilled and reflective teacher of history, acting together. This condition has been met in the preparation of the volume under review.

The general character and contents of the book, the method of its preparation, its aim, and its unusual importance were all referred to in the *AMERICAN HISTORICAL REVIEW* for October last (pp. 157-158), and that statement need not be repeated here. Like the other large undertakings of similar character, the suggestion which led to the preparation of this report came from the National Educational Association, which has in recent years become the most powerful agency for expressing as well as for stimulating the best educational thought of the country. The report itself was undertaken by the authority of the American Historical Association. It aims to have, and it has, direct practical value for the student of education and for the teacher of history. It is not the first piece of work of its kind, but it is the most thorough, the most carefully prepared, and the broadest. The report of the Madison Conference on history, civil government and political economy to the Committee of Ten on Secondary School Studies (1893) is valuable and very suggestive; and the discussion of the aims and methods of teaching American history in the *Report of the Committee of Fifteen on Elementary Education* (1895), while brief, is philosophical and distinctly helpful; but the present report is clearly of a higher type than either of the others, whether judged by its method, by its scope, or by its conclusions.

The period of study covered by the report is avowedly that of secondary education. It is assumed that American history, the natural point of departure in historical study for American pupils, has been studied for three or four years in the elementary school: therefore the interesting and difficult questions arising there are not touched by this report. European history was before the committee in ample detail; and the studies of Miss Salmon, Mr. Haskins and Mr. Fox of history-teaching in the typical secondary schools of Germany, France and England, respectively, are of permanent interest and value.

What, then, is the point of view of the report? Does it, like so many disquisitions on elementary and secondary education that bear the signatures of eminent scholars and university teachers, invert the educational pyramid and make the college course and, most of all, the college entrance examination the test of what and how the secondary school should teach? This crucial question may be unhesitatingly answered in the negative. The writers of the report have consciously avoided that danger, and they have studied the needs of secondary school students on their merits. It is asserted, first, that history is an integral, not an accidental or ornamental, part of the secondary school course, and that its study should be continuous. These are incontrovertible propositions. It is asserted, also, that each of the four secondary school years should be given a block or period, and that the four blocks or periods should be studied in this order: (1) ancient history, with special reference to Greece and Rome, (2) medieval and modern European history from

about 800 A.D. to the present time, (3) English history, and (4) American history and civil government. This is a good order. The fact that the seven members of this committee agree in recommending it, makes it probable that it is the best. It reveals a natural sequence of events, and it admits of a correlation between history and the other school subjects. The reading of the Greek and Latin classics, or such of them as are found in the first two secondary school years, will aid and be aided by the study of ancient history in the first year. The literature of the second and third years should help and be helped by the history of those years. American history in the fourth year carries the pupil over the field of his elementary school work from a new and higher point of view, meets—as far as it is wise to meet—the desire for some intensive study, and admits of ample application to the fundamental principles of economics and of civil government. All the possible objections to this sequence of blocks or periods that are mentioned by the committee or that have occurred to the present reviewer, are reducible to bad teaching; and that no course of study can either provide for or guard against. The purpose of the committee in framing just this course is admirably stated in this paragraph:

“We ask, then, for a course in history of such length that the pupil may get a broad and somewhat comprehensive view of the general field, without having, on the one hand, to cram his memory with unrelated, meaningless facts, or, on the other hand, to struggle with generalizations and philosophical ideas beyond his ken. We think that a course covering the whole field of history is desirable, because it gives something like a proper perspective and proportion; because the history of man's activities is one subject, and the present is the product of all the past; because such a study broadens the mental horizon and gives breadth and culture; because it is desirable that pupils should come to as full a realization as possible of their present surroundings, by seeing the long course of the race behind them; because they ought to have a general conspectus of history, in order that more particular studies of nations or of periods may be seen in something like actual relation with others. We think, however, that quite as important as perspective or proportion are method and training, and a comprehension of the essential character of the study” (pp. 48, 49).

Having laid out this four years' course of study, the report next proceeds to offer suggestions for the treatment of each of the four periods. These suggestions are uniformly practicable, helpful and sound. They reflect correct theory tested by experience. The presentation of the matter of method in instruction is equally good. What is said of textbooks, supplementary reading, written work, occasional tests, notebooks, maps, and the use of a reference library can hardly be improved. The chapter on “Sources” is eminently sane. The idea that boys and girls of tender years can learn history by “investigating sources” is grimly humorous; fortunately its spread was checked in the United States before it had done much harm. This report advocates the use of a limited amount of the material known as “sources,” always in connec-

tion with a text-book. Used in this way, the "sources" become simply so much well-selected illustrative material and are of marked assistance in vitalizing the teaching.

Finally, the committee arrive at the topic of college entrance requirements, with the too often attendant examination,—

Monstrum horrendum, informe, ingens, cui lumen ademptum.

What is said here is well said. The wrong of shaping secondary school courses with reference to college needs instead of *vice versa*, the folly of rigidity in college entrance requirements and consequently, too often, in secondary school work, and the importance of revising and improving the examination in history where it still exists, are all pointed out. The scheme of "units" proposed is moderate and practicable.

This report is so excellent that two chapters of it ought to be still better. These are the chapters on the value of historical study and on the need of trained teachers. The former chapter only hints at the influence of historical study in cultivating the imagination and the moral sensibilities, and passes over entirely its great significance in laying the foundations for a true institutionalism, a view of the world which sees at once the place and the limitations of individualism. It fails, also, to lay sufficient emphasis on the immense significance of ideals, individual and national, as revealed by history, always a fruitful lesson for the young pupil especially during the adolescent period. Similarly, the chapter on the need of trained teachers is inadequate. "Some instruction in the methods of teaching" (p. 118) is not enough. Some study of education as a process is required, and also some considerable knowledge of the characteristics of the human mind and character at the volcanic period of adolescence with which the secondary school has to do. It is a false ideal to picture a teacher with a knowledge of history, a knowledge of the books which are the tools of his trade, and "some instruction in the methods of teaching," as a trained teacher. That day has gone by in the elementary schools; it is going by in the secondary schools; it will go by in the colleges.

But the report is worthy of the highest praise. It ought to do a great service to the cause of sound education in America. Every school library, every teacher of history, every superintendent and secondary school principal ought to have it at hand for constant study and reference.

NICHOLAS MURRAY BUTLER.

*The History of Mankind.* By Professor FRIEDRICH RATZEL. Translated from the second German Edition, by A. J. BUTLER. Vol. III. (London and New York: Macmillan and Co. 1898. Pp. xiii, 599.)

THIS third volume completes the translation of Ratzel's comprehensive work. While it admirably supplements our manuals of history it is not a history but a treatise on ethnography. Two maps are given that serve their purpose well, and also emphasize the need of others as well.

as of comparative tables showing the ethnic relationships of the peoples described. The book is embellished with a wealth of drawings and colored plates. The method of treatment, by cultural groups, results in the continual repetition of details, yet the broad view and capacious grasp of its distinguished author redeems the work from becoming a swamp of unrelated facts.

The volume opens with the concluding sections of Book IV., dealing with the Negro Races—throughout, the term "race" is used rather loosely to signify culture group. The tribes designated "Africans of the Interior" include those who have formed states about the sources of the Nile and who occupy the borderland between the true negroes and the peoples of nobler physical type in North Africa. Ratzel emphasizes the physical differences that are found, and ascribes them in great part to admixture of breeds. Uganda is by far the most important and best known of these states. It stands above those adjoining in the development of its military institutions and general culture, but its growth has been retarded by the blight of cruelty that distinguishes these cut-throats and anthropophagists from even the sheer savages of the West Coast. The Waganda are rapidly adopting the customs of foreigners, and perhaps the time is not far distant when Stanley's remark that the Uganda peasant realizes the ideal of happiness after which all men strive, may be accepted as literally true.

The importance of the factor of environment is constantly recognized by Ratzel. This feature of the work is well exemplified in the section devoted to the Negroes of the Upper and Middle Nile Regions. Indeed, the whole belt across the continent between the Bantus and the Mediterranean peoples offers an excellent opportunity to the anthropologist for the study of the relations of race and environment; the range of variation in stature, pigmentation, and even head-form is very great. Only general statements and descriptions are given and further investigation is especially desirable, now that these problems are receiving so much attention in Europe, where migrations and artificial conditions have hopelessly complicated them. The tall, lean Dinkas, who have been compared to the wading-bird of their marshes; the reddish-complexioned inhabitants of the Welle region, the blacks of several districts, the gigantic Fellups and others, the dwarfed Negritos with their round heads, the forest-negroes with a strong tendency to goitre—may be mentioned in this connection and concerning whom we have little more than traveller's tales upon which to base our inductions. The literature relating to the negroes of Western Africa is much more extensive than that on the tribes of the interior. Indeed, it has been considerably increased since the publication of this book. Notwithstanding the long contact with Europeans the negroes of the West Coast are decidedly lower in culture than those of the interior, but on the other hand are physically superior, owing to better food and perhaps also to a greater mingling of blood.

In the introduction to Book V. three sections are devoted to: The Modes of Life among the Races of the Old World: Culture: and The

Nomadism of the Pastoral Races. Nomadism is regarded by our author as an important factor in the development of civilization and a great part of the volume is given up to the consideration of nomadic peoples. The regions of culture form a comparatively narrow zone extending from Europe and the Sahara across southern Asia to the East, though the preponderance in area of the pastoral tribes is, perhaps, recent. A great state-creating power distinguishes the nomad, whose military character enables him to bind together the easily disintegrable sedentary races. Possessing the will and force to rule he yet learns much from his subjects as the Romans learnt from the Greeks and the Germans from the Romans. It is on rich soil and with vigorous labor that culture advances; thus populations grow dense and that is what culture needs for its development and diffusion. Ratzel derives both Egyptian and Chinese culture, at least in their origins, from Mesopotamia, but leaves the question of Accadians and Sumerians to historical enquirers. In the detailed survey of the Cultured Races of Africa separate sections are assigned to Islam, the Red Sea Group of Races, Life in the Nomad Districts of Africa and Arabia, the Abyssinians, the Berbers, the Races of the Sahara, the Soudan and its Peoples, the Fulbes, Fulahs, or Fullahtahs, and the Dark Races of the Western Soudan. Theories regarding the origin and relationships of the Berbers are not offered, but an instructive comparison with the Arabs is presented. This method of treatment is again noticeable in the section upon the Mongols, Tibetans, and Turkic Races, where no speculations are indulged in concerning the admixture of Caucasian blood and little is said about the early migrations of these peoples. The principal centres of culture are described separately and chapters are added upon the History of Civilization in Eastern Asia; the Family, Society, and State, chiefly in China; and Asiatic forms of belief and systems of religion. The concluding forty pages deal with the peoples of Caucasia and the Europeans. The account of the former is very brief, that of the latter scarcely less so though for good reason. Ratzel hesitates to denote these races by the term "historical," for he consistently maintains throughout the work that all races have their task apportioned and it is only in a special sense that we can restrict the term "historical" to Europeans. Here "ethnology lays the pen down for history to take it up."

FRANK RUSSELL.

*The Races of Europe; A Sociological Study.* By WILLIAM Z. RIPLEY, Ph.D., Assistant Professor of Sociology, Massachusetts Institute of Technology, Lecturer on Anthropology at Columbia University. [With a supplementary volume], *A Selected Bibliography of the Anthropology and Ethnology of Europe*, published by the Trustees of the Boston Public Library. (New York: D. Appleton and Co. 1899. Pp. xxxii, 624, 160.)

DR. RIPLEY'S book meets a genuine need. For forty years past, diligent anthropological workers in all parts of Europe have been working

at local problems. Measurements and observations have been made upon hundreds of thousands of individuals representing the populations of many and widely scattered districts. These workers were so absorbed in their local problems that they overlooked or failed to grasp general problems. Their conclusions, while often valuable, frequently suffered from the failure to take a broad view. There was great confusion, amounting at times to discord or contradiction, when conclusions of different workers were compared. The data so diligently accumulated were accessible with difficulty, being scattered through government reports, scientific periodicals, and the proceedings of learned societies. The material was difficult of study, as it had been gathered by different systems of examination and measurement, and had been dealt with by differing mathematical methods. The need of the hour was synthesis of these results. This work of synthesis, a difficult and somewhat thankless task, Dr. Ripley has undertaken. He attempts to bring order out of confusion, to combine and harmonize results, to present at one view the acquired facts. The importance and pressing nature of the work appears from the fact that, at about the same time, three workers have attempted it. Ripley in America, Keane in England, and Deniker in France, have just made or are making general statements regarding the Races of Europe. Keane can hardly be called an independent worker in this field; while differing somewhat from the others he has been so much influenced by Ripley's views that he may almost be said to be an expounder of them. Deniker diverges from both and presents a completely independent and notably peculiar scheme.

Our author begins with some preliminary observations. He emphasizes the fact that language, nationality, and race are independent of each other. Loss of clearness and serious error always result from neglect of this fact. The same language may be spoken by peoples of different races and by different nations. A language, developed by a given population in a definite area, may spread beyond its original area, among neighboring populations; or it may shrink until it is spoken by a mere fragment of the people that gave it birth. The boundaries of a nation may be changed by the stroke of a pen or by a single battle, irrespective of the languages spoken or the races represented in the area affected.

Dr. Ripley's study is founded on physical characters. Race types are definite combinations of physical characters, which persist through generations. There are three physical characters which have been most widely studied—head form, color, and stature—and to these three our author gives particular attention. He considers the first of these of the most importance as he believes it to be the least changeable. He discusses each of these fundamental characters in a distinct chapter. Gathering the data regarding each, not only from all parts of Europe but also from the whole world, he discusses them and then presents the facts graphically in shaded maps. Two series of maps are given, one showing the geographical distribution of head form, of color, and of stature, through the world, the other the distribution of the same characters



through Europe. These maps are highly suggestive. Those of Europe present the data in a form likely to be somewhat permanent, as the investigations in that continent have been extensive and careful. While likely to be somewhat changed in detail, the main facts are probably well brought out. The maps of the world are likely—with further study—to be considerably modified.

Having studied these fundamental characters in detail and mapped their geographical distribution, our author proceeds to examine the combinations of these characters which present themselves with such frequency and persistency as to constitute race types. Of these combinations, or race types, he recognizes three. The first of his types has a long head, a long face, light hair, blue eyes, a narrow aquiline nose, and tall stature. The second has a broad or round head, a broad face, light chestnut hair, hazel gray eyes, a variable nose—though rather broad and heavy—a stocky build and medium stature. The third has a long head, long face, dark brown or black hair, dark eyes, a rather broad nose, and a slender frame of medium stature. These three types have been fairly defined by preceding authors but sad confusion exists in regard to their naming. Ripley finally decides upon the names Teutonic, Alpine and Mediterranean, respectively. His Alpine type is the Celtic type of many writers. He makes an elaborate argument against the name Celtic. It seems to us that a somewhat similar argument might lie against the name Teutonic, which is certainly bad.

In thus recognizing and emphasizing three types our author is on delicate ground. In emphasizing them as he does he intentionally refuses to recognize a single white race, of which they may be branches. Boas has already criticized this, complaining that Ripley sees differences clearly, but refuses to see similarities. To this we shall return later. Others may easily criticize Dr. Ripley for not recognizing more than three types. Pursuing the same method of isolating physical characters and then seeking for actual and well-defined combinations of them, Deniker recognizes ten race-types in Europe. Whether or not he is on delicate ground here, Ripley recognizes his three types, defines them, names them, and then traces them throughout Europe.

In a series of chapters he examines the population of different European countries in detail. The titles of these chapters indicate the treatment. They are: France and Belgium; The Basques; The Teutonic Race—Scandinavia and Germany; The Mediterranean Race—Italy, Spain, and Africa; The Alpine Race—Switzerland, The Tyrol and the Netherlands; The British Islands; Russia and the Slavs; The Jews and Semites; Eastern Europe; Western Asia. Nowhere does he find *absolute* purity of race; almost everywhere two, or all three, of the fundamental races come into contact, interpenetrate, cross, or influence one another. Even in Scandinavia, where the Teutonic race is almost alone, and in Lower Italy, where the Mediterranean race is almost sole possessor, there is some admixture. Ripley's own opinion regarding the origin of his three race-types appears to be: that the long-headed brunet Medi-

terranean is an African type, showing some approach to the negro; that the Teutonic is an offshoot from the Mediterranean, locally developed amid peculiar physiographic surroundings; that the broad-headed Alpine type is Asiatic and has moved in like a wedge between the two European populations. Even with his close adherence to his idea of *three* race-types, Ripley shows occasionally a tendency to go beyond them. It is not quite clear what he intends to do with his Cro-Magnon type. Sometimes he almost erects it into a new race. And plainly he is often not quite sure that he has got rid of Deniker's *Adriatic* type. He attributes it to local environmental differences (which he does too with his own Teutonic race) but time and again he is forced to admit its reality. Of course this question of how many types are to be recognized is a fundamental difficulty. In a criticism of Deniker's work, which appears in an appendix to his main discussion, Ripley says—"We must cast about for affinities. Here we touch as it seems to us the tap-root of Deniker's evil. The eye has been blurred by the vision of anthropometric divergences, so that it has failed to notice similarities." This is, almost to the word, Boas's criticism of Ripley himself.

On the title-page Ripley calls his book "A Sociological Study." So far as we have traced it, it has been simple physical anthropology and ethnology. There follow two important chapters devoted to certain social problems. There has been a tendency of late to see in race the explanation of many social phenomena. Lapouge has been a prominent exponent of this tendency. Studies have been made to show the relation between divorce and race, suicide and race, "social stratification" and race, etc. Ripley aims to present the facts, and in so doing appears to largely reduce the importance of race as a factor. He also discusses "urban selection," to see whether the city draws more heavily upon one race than another in Europe. He also examines the "type" of the city and tries to explain how it arises. In a final chapter the author discusses acclimatization and inquires whether European races are qualified to take possession of and colonize distant possessions in other climates. Of his three types the Teutonic is least successful as a colonist, the Mediterranean is most so. The fact has vital import at this moment.

That the book is interesting and highly important must be evident from this brief review of its contents. That it should contain much new material is not to be expected; it is a re-presentation of the work of others, a combination, a harmonization. It possesses, however, features of originality and high importance. The series of maps, shaded according to a definite system, deserves high praise. No one, without actual experience, can realize the amount of care and labor such maps represent. To reduce the teachings of a multitude of measurements and observations to definite form and then to transfer the result, in graphic form, to a map, means a great amount of "dead work." The large series of type portraits, representing the types and races discussed, also demands high praise. To secure abundant illustration of types of one or two well-studied districts would have been a simple task; to secure adequate illus-

tration, symmetrically distributed, of the race-types of all the peoples of Europe and western Asia was a serious labor. Dr. Ripley's series includes upwards of two hundred illustrations and in many cases—the majority perhaps—he is able to present front and profile views of the same individual.

While gladly able to say so much that is good of this important work, we regret Dr. Ripley's frequently obscure, contradictory, or slovenly form of statement. A very few examples will illustrate our meaning. On page 40 we read, "On the other hand the Chinese are conspicuously long-headed," on p. 45, "The Chinese manifest a tendency toward an intermediate type of head form." How can these statements agree? On p. 62, Ripley says, "There are many peoples in Europe who are darker skinned than certain tribes in Asia or the Americas; but there is none in which blondness of hair or eyes occurs to any considerable degree." Surely the meaning of this is obscure. On page 122, the author is speaking of the Teutonic race. In one paragraph he says "The narrow nose seems to be a very constant trait, as much so as the tendency to tall stature," and in the very next paragraph he says, "A distinctive feature of the Teutonic race *which we have not yet mentioned*, is its prominent and narrow nose." (Italics are ours.) These are by no means the best examples we might select; we have taken them quite at random. If they were the only examples they would hardly deserve mention, but the work abounds in them. On p. 80, after referring to varieties of dogs and horses, our author says "these abnormities." Why "abnormities"? Why, on the same page do we have "Terra del Fuego"? These obscure passages and strange misuses of words are the less excusable as Dr. Ripley must have gone over the work several times. His matter has been given as lectures to students, as a course of Lowell Institute lectures, as magazine articles, and now in book form. We might justly expect these blemishes to have disappeared.

To serious students the *Supplement to The Races of Europe* will be almost, or quite as important as the work itself. It is a bibliography of nearly two thousand titles. Its volume might have been easily increased, but it is a "selected" bibliography, including only those works which contain something of original contribution. Anthropological literature is widely scattered; it is largely in foreign languages and much of it in languages but little read by the ordinary student. The importance of a good bibliography in this field cannot be over-stated. Mr. Ripley has done his work well. The body of the bibliography is arranged by authors in alphabetical order. An index follows, wherein the references are given under geographical headings, in chronological order.

FREDERICK STARR.

*The Development of English Thought ; A Study in the Economic Interpretation of History.* By SIMON N. PATTEN, Ph.D., Professor of Political Economy, Wharton School of Finance and Economy, University of Pennsylvania. (New York : The Macmillan Co. 1899. Pp. xxvii, 415.)

DR. PATTEN has written a book stimulating alike to the student of sociology, political science, history, and psychology, for it touches at certain points each of these subjects. To no one, however, will it be more interesting than to the student of history, who will rise from its perusal uncertain whether to be more exasperated by its dogmatic interpretation of familiar historical events and movements than delighted with its insight into the working of historical forces, and its singularly concise and pithy way of saying things. No one can read the work without acquiring added mental strength and new points of view, and whether the reader like it or not, he will probably look at some things in history differently from before.

What Dr. Patten has given us is not so much a history of the development of English thought as it is a theory and law of progress in history, a philosophy of history from psychical and economic standpoints, and a series of speculations upon the environmental conditions that have influenced the development of certain aspects of English philosophic and economic thought from Hobbes to Darwin.

The fundamental thesis of the book is this, that to understand the development of English thought it is necessary to understand the economic conditions that have influenced the thinkers—not only those conditions that have been contemporaneous, but those that have gone before and have shaped the national character. By character Dr. Patton means the motor reactions that have been inherited from past generations, the conservative forces that have never been able to adjust themselves completely at any given time to the rapidly changing environment or economy. This economy Dr. Patten defines as composed of all the objects which modify, through the sensory powers, the old motor-reactions, the definite objects and forces (both tangible and intangible, ideals as well as food supply and national goods), which at a given time are the requisites for survival and which are capable of bringing about readjustment of the organism to its environment. Progress is caused, therefore, says Dr. Patten, by “the interplay of the character-forces in men and the economic-forces in their environment.”

With this as his premise Dr. Patten's object is threefold. First he attempts to give a new classification of society, substituting for upper, middle, and lower classes, for conservatives and liberals, for landlords, capitalists, and laborers, a division based on psychic peculiarities into clingers, sensualists, stalwarts, and mugwumps, a classification, it may be said at once, suggestive and valuable. Secondly he rearranges the stages in the history of thought, placing the economic stage first, the aesthetic second, and the moral and religious stages third and fourth. In this con-

nection Dr. Patten demands that history be studied in epochs, and that the study of each epoch take into account contemporary economic, aesthetic, moral and religious influences in succession before examining the corresponding influences of an earlier epoch. And finally our author offers a new interpretation of the history of thought. He starts with the premise that "the economic conditions are the primary source from which all elements of the national character arise," that is, that all original motor-reactions were shaped in earlier times in a local environment and a pain economy; and then recognizing the transforming and modifying influences of new environments and new conditions other than economic which have remodelled old types and developed new ones, he finds in this progressive movement the constant recurrence of two intellectual classes, one of which, the philosophers (moralists or prophets, which he later and better calls speculators or thinkers) represents the old types, the other, the economists (whom he later and better calls the observers) standing for the new. To the tendency of the philosopher to become an observer and the observer to become a philosopher Dr. Patten ascribes the forward movement in thought.

The remainder and the greater part of the work treats of the enlargement of these propositions and their application in history. It is impossible in the space here at command to consider even in brief Dr. Patten's conclusions. No student of Continental or English history will fail to study Dr. Patten's book, unless he is hide-bound by the conception that history is mere narrative and that the function of the historian is to state facts and not to interpret them, or is so taken up with his love of method that he has neither time nor inclination to cultivate ideas. He will probably disagree with Dr. Patten over and over again in his conclusions, for the latter makes no attempt to prove his assumptions, and rarely illustrates his generalizations by an appeal to facts. His attitude is that of one who could readily prove his statements if he wished to do so, but who thinks that they are so self-evident that it is not worth while.

But all of Dr. Patten's conclusions are by no means self-evident. I should like to ask Dr. Patten to prove the following statements: that the English owe more of their characteristics to the Shemite than the Greek, and that the Church was shaped by Roman and Shemite ideas only; that *all* the migrating Germans were lost or blended with all the people they conquered; that the *Völkerwanderung* was actuated by greed only, and not by starvation as well; that the bishops of Rome avoided *all* theological controversy; that northern Europe before the sixth century was a dreary waste in which "a few half-starved people were huddled in miserable hovels"; that monastic colonies were never under strict rules; that the Church elevated the position of women; that there ever was a German Emperor in the Middle Ages; that the leaders of the Renaissance sought to reform the abuses of the Church; that Calvinism spread only where guilds and clans were dominant; that Germany has had a steady development running through many ages while Europe passed "suddenly from barbarism to social security and prosperity"; that Eng

lish society before the Reformation was half as bad as he makes it out to be ; that the Puritans were bound to disappear because of their economic shortcomings and died like sheep of consumption ; that the "craze for agricultural improvement" in the eighteenth century was due to the monotony of country life ; that "history has seldom risen above a chronicle of wars and disasters" ; that historians do not know that discontent not poverty causes progress ; and that "all great writers are lazy." Yet we are asked to accept each of these and scores of others on Dr. Patten's *ipse dixit*.

Dr. Patten's book is full of original comments and suggestive interpretations that will be willingly considered by every historical scholar. Two general conclusions, however, present themselves ; first, that Dr. Patten has unconsciously shaped his interpretation of history according to the theory that he has framed, has selected those phases of history and those views on debateable points that were most useful for his purpose, and has too frequently generalized from insufficient data ; and secondly, that in the application of his theory he has narrowed his definition of environment, and has exaggerated the importance of single economic factors, such as woolen clothes, the oven, the bath-tub, wheat, sugar, steady employment and three meals a day, and in so doing has filled his interpretation of history with a spirit of economic and psychic fatalism. In this day and generation, when the historian is beginning to recognize that no great event in history can be traced to a single cause, no matter how important that cause may be, it will not be deemed sufficient to offer such simple explanations as those with which Dr. Patten is content. The historian is not ready to give up the influence of individuals in history and to see his faith, his creed, his ideals, his art, and his literature merely the outcome of an economic surplus, the result of a new invention or of the introduction of a new element in the food supply. And that which is true of the economic interpretation is also true of the psychic ; prayer is more than a motor collapse, praise more than a motor outburst, the truth of doctrines and creeds more than a mere test as to whether a further development of the sensory powers is of greater social value than the further growth of the motor powers. Dr. Patten has given us throughout his work a series of explanations which are frequently sound and true, but which are in reality only a part of the great truth of history. The value of his work lies in the fact that the explanations he advances have never perhaps been so lucidly or convincingly presented before.

CHARLES M. ANDREWS.

*Cosimo de' Medici.* By K. DOROTHEA EWART, late Scholar of Somerville College, Oxford. ["Foreign Statesmen."] (London and New York : The Macmillan Co. 1899. Pp. viii, 240.)

THIS latest volume of the Foreign Statesmen series can hardly be ranked among the best of the collection. There is labor, patience, and, on the whole, a good arrangement of very complex material, but the en-



semble is not entirely satisfactory. In the first place it is to be regretted that the author does not supply either footnotes or references, that is, that she does not put into the reader's hands anything of the necessary apparatus of criticism. There is indeed a list of authorities tacked apologetically to the end, but it reveals itself on its face as an after-thought and stands in no visible connection with the text. Although I am aware that this practice is the rule with all the books of the series, and therefore not chargeable to the present author, it constitutes so serious a defect and subtracts so substantially from the value of the book for the student of history, that a reviewer is obliged to make mention of the matter.

Probably the responsible editor of the Statesmen series intended to reach with the biographies the larger circle of non-professional readers, and for this reason he preferred that his authors turn out literary rather than historical productions. It is only fair then to adopt the literary point of view towards this book. Here again, however, one's satisfaction is not unbounded. The material is fairly well distributed in chapters, and the facts of each chapter disclose, if no new sources of information, at least care and judgment in handling the old ones, but the treatment as a whole lacks grasp and power. Granted that the undertaking was no easy one: to replace the blur of a great name with a bold literary portrait, accurately defining the Florentine citizen's characteristic modes of speech and action; but why in the face of this task are we offered such paucity of personal material? Occasionally an attempt is made in this kind, in Chapter VI., for instance, in which are enumerated some of Cosimo's striking phrases, every one of them tingling with present life and exhibiting a homely mixture of cynicism and kindly humor that somehow recalls our own Lincoln, but this effort is only a beginning and is not sustained. And now suppose that this chapter had been made a complete record of all the authentic sayings of the great banker and citizen, and suppose further that there had been added thereto all the *personalia* of whatever kind culled from the sculptors, painters, medalists, and memoir-writers of the time—here would have been as the result of a mere compilation a valuable literary portrait! It is curious that people familiar with the fifteenth century do not model themselves in their art a trifle more closely upon Cosimo's great friend, Donatello. To Donatello there was just one way of doing a portrait and that was to get in all the character possible.

The author, like all writers on this period, lays a great deal of stress upon Cosimo's discovery of the principle of the balance of power (Chapter III.). The honor is vindicated for him against all comers with as much warmth as if it were a question of some great natural law like that of gravitation. For myself, I have never been able to see in the great "principle" anything but a convenient diplomatic phrase of the eighteenth century invented to fill up the gap between two pinches of snuff, and I find the conception quite as indefinable politically and diplomatically as the similar phrases of humanity and destiny, current in

our own day. Above all, I have utterly failed to observe that the "principle" sheds any startling light over Cosimo's policy. He wanted peace, he needed allies to get it—that is the history of his foreign relations in a nut-shell. If he could have got a peace alliance which embraced all the five Italian powers instead of merely three, he would in all probability have accepted it without grumbling at the annihilation of the balance of power which such a league would have entailed. It saves trouble to recognize once for all and at the outset that the conduct of every Italian ruler of that day was cheap and shifty and will baffle the attempt to arrange it under any great moral or political concept.

A feature of the book that will be thankfully received is a brief description of the complex Florentine constitution (Chapter I.). Here and elsewhere occasional sentences suffer a little from an access of either mental or grammatical vertigo, and in several places a lawless imagination needs to be subjected to the pruning-knife. Thus on p. 158 we hear of the Radicals misbehaving toward the Democrats in the United States, and on p. 210 we are invited to ponder the art of the Goths and Normans.

FERDINAND SCHWILL.

*Martin Luther, The Hero of the Reformation, 1483-1546.* By HENRY EYSTER JACOBS, Dean and Professor of Systematic Theology, Evangelical Lutheran Seminary, Philadelphia. [Heroes of the Reformation.] (New York: G. P. Putnam's Sons. 1898. Pp. xvi, 454.)

*Philip Melancthon, The Protestant Preceptor of Germany, 1497-1560.* By JAMES WILLIAM RICHARD, D.D., Professor of Homiletics, Lutheran Theological Seminary, Gettysburg. [Same Series.] (New York: G. P. Putnam's Sons. 1898. Pp. xvi, 399.)

THESE two, the initial volumes of the series, set a high standard and give large promise for the remaining volumes. The Luther is richly illustrated with portraits of the leading personages mentioned, some of them rare, as that of Luther from the title-page of the *Babylonian Captivity*, and all interesting,—the best we have, though the doubt will recur whether they afford any idea at all adequate or correct of the faces they represent. Numerous other illustrations of historical and antiquarian interest add to the value of the work.

The story of Luther is not only that of the "Hero" of Protestantism, it is itself a romance. Told most literally and carefully, it can never lose its thrilling power while Protestant hearts continue to throb. It is little praise therefore to this particular telling of the story to say that it is intensely interesting from beginning to end. And when the present writer has little to say by way of mentioning striking peculiarities in the book, this is less to fail to praise this work than to give large praise to the long line of lives of Luther from the beginning to the present day. For this Life it may be fully claimed that it was written from the sources, that it

is truly original and individual in its view of the subject, and that it is faithful and correct. More spice might have been added to it, if the controversial element had been introduced, but something would have been thereby detracted from its simple straightforward truthfulness. Even that bitter calumny which Rome has not ceased to this day to repeat, that Luther died a suicide, is unnoticed, though the minute narration of the death-scene, which is its completest refutation, may have been determined in some respects by it.

The life of Melancthon is conducted on the same general lines, and furnished with the same rich illustrations, as the Luther. It deals with a subject less familiar even to historians. The pure, self-effacing, and truly humble spirit of this peace-loving scholar forms a striking contrast to the more tempestuous spirit of his colleague Luther, and yet they are alike plunged into the most troublous times. How fully the events of Melancthon's life are those of Luther's, determined by the public course of events in which Luther and not Melancthon was the leading force, this book strikingly exhibits, for it is almost as much a life of Luther, while Luther still lives, as of Melancthon himself. In successive chapters it sketches the student preparation of the brilliant youth, then his career in the opening years at Wittenberg, his first attention chiefly paid to the more general field of classical study, but almost immediately absorbed by the overwhelming religious interests of the time in theological study and publication, so that he became the earliest dogmatician of the Reformation, its most prolific writer upon exegesis, and upon a multitude of other subjects, preparing elementary treatises upon the widest range of themes, and thus earning the title "Preceptor of Germany." Soon comes the great service at Augsburg, where Melancthon was the author of the confession, which, read aloud in trumpet tones before Emperor and Empire, became the rallying cry of all Protestantism. Luther remarked upon its irenic character, which he highly approved, that he himself could never "have walked so softly." The painful history of the later years, when, Luther gone, Melancthon was led into various compromises with Catholicism in his efforts to save Protestantism from utter ruin, and the unprofitable controversies that attended his last days, are all faithfully told, with possibly too much detail for the general reader. A great man has been brought before us, and a great epoch, with full and worthy treatment.

As to the chapters upon the "theology" of both Luther and Melancthon, we could wish that Ritschl's own defects and the natural hostility of American Lutherans to his theological tendencies, had not prevented these writers from setting forth that fundamental view of his, in which he was unquestionably right, and which has now been so well elaborated by Kaftan in his *Truth*, that to the original reformers the Reformation was a restoration of spiritual religion over against the formalism of a dead theology which had been divorced from life, and that the Lutheran system, even as sketched finally by Melancthon, was to a degree a falling away from the first and high ideals of the movement.

Our authors have both failed to give a truly genetic and critically correct view of the theology of their subjects from neglect of this principle.

FRANK HUGH FOSTER.

*Geschiedenis van het Nederlandsche Volk.* Door P. J. BLOK. Vierde Deel. (Groningen: J. B. Wolters. 1899. Pp. 496.)

IN his task of setting forth the history of the Netherlands people, the distinguished professor of Dutch history in the University of Leyden and the instructor in history of Queen Wilhelmina has completed his fourth volume. The period treated covers what many consider the most important events in the national history, the influence of which is still powerful in Dutch politics and social life. Not only do Holland's art and literature still reflect the inheritances from the years 1609-1648, but from personal experiences among groups of Dutch gentlemen, we can bear witness that the controversy between admirers of Barneveld on the one hand and Maurice on the other, is still warm. When to political, religious elements are added to the discussion, it becomes hot.

Dr. Petrus Johannes Blok has certainly, in his judicial poise and calm, inherited the spirit of him whom he calls "my revered master Fruin," but it can hardly be said that the style of the pupil equals that of the teacher. It is not merely a foreigner that must declare that there are manifest proofs of haste and occasional slovenliness of style, but natives find his very frequent use of the present participle a trifle irritating. Such an innovation in Dutch is not as pleasing as is the regular use of this form in French and English. This said, however, we heartily add our tribute of admiration for the admirable manner in which, as if scathless in an ordeal, he threads his way safely between and amid the hot ploughshares of religio-political strife. Standing above parties and factions, with admirable insight and breadth of view, he gives us his luminous judgments as to persons and things, causes and consequences. The *Oranje-klants* and Calvinistic dogma-makers on the one hand and the hide-bound and bigoted "Liberals" on the other will hardly praise Dr. Blok for his utter lack of partisanship. Sometimes one would prefer a less close adherence to the synthetic method and, for enjoyment in reading and for fortification of one's own convictions, a little more of the "virtuous partisanship" of Macaulay or Motley or even Fruin, who call the execution of Barneveld a "judicial murder" (*een gerechtelijken moord*). Nevertheless judicial candor is the author's first aim, and his treatment of the bloody episode of 1619 is worth a mountain of what has been penned in late years by writers who are, first of all, partisans. To show, however, that our longing for more color and animus is not unreasonable, we may note that Dr. Blok's consistency in desire for fairness of judgment and possible fear of being charged with partisanship, becomes at times inconsistency. In our day and time the action of Prince Maurice in repeatedly trampling on law and justice would be called a *coup d'état*, and yet, on page 203, we find the author telling us that he "acted in all good faith" (*in alle goede trouw handelend*).

It is like turning from black night to the splendors of rosy dawn and the movement of light toward high noon, to enter into the brilliant period of Prince Henry, "our golden era" as the Dutch love to call it. Here the author is as happy as he makes his readers, and his masterly chapters deserve to be read and re-read. Besides his lively pictures of home life, of war, of peace, of art and social improvement, we have a sketch of trade and commerce with the East which seems especially timely. One cannot dismiss this volume without especial notice and commendation of the chapter, or rather elaborate essay on the sources of Dutch history for the period, 1559-1648. We know of nothing so full and so illuminating. With equal fairness and apparent grasp of the material in whole and in part, Dr. Blok presents the national Dutch, the Spanish, the Catholic Dutch, and the opposing sides in Netherlandish history. Dr. Blok, being still on the sunny side of life's meridian, may be able to finish the great work marked out by himself, which we sincerely hope.

*Mémoires du Temps de Louis XIV.*, par DU CAUSE DE NAZELLE

Publiés avec une Introduction et des Notes par ERNEST DAUDET.  
(Paris: E. Plon, Nourrit et Cie. 1899. Pp. xxviii, 269.)

THE alleged author of these *Mémoires* was an officer whose only claim upon the attention of posterity is that he revealed to Louvois an obscure conspiracy which two or three desperate noblemen, including a Rohan, concocted against Louis XIV. in 1674. Although this conspiracy has been better known than some others which belong to the same reign, its precise objects are still not fully understood. M. Daudet has in an appendix summarized the evidence which may be gathered from the records of the trial preserved in the French archives, but there is room for a difference of opinion upon the value of certain confessions, notably those of the Dutch schoolmaster, Vanden Enden, a spy in the service of the Spanish government, who, with the Sieur de Latréaumont, was the originator of the plot. The main purpose was to create a disturbance in Normandy, during which the Spaniards were to take possession of Quilleboeuf. Vanden Enden personally, according to his own story, sought in this way to do Holland's enemy all the harm he could. Latréaumont, a bankrupt adventurer, hungered for spoil; and possibly it was spoil also, and revenge, which Louis de Rohan chiefly desired, although his fellow-conspirators dazzled him with promises of a restored Duchy of Brittany. Added to this there was talk of organizing a republic in Normandy, for which the Dutch pedagogue had sketched some laws, with the expectation that all Frenchmen would hastily abandon the structure reared by the centuries and adopt in exchange the devices of such a pitiable group of schemers. M. Daudet seems to lay undue stress upon these things, which served to adorn an enterprise the most practical aim of which was to procure sufficient supplies of Spanish gold to repair two or three disordered fortunes.

The *Mémoires* of Du Cause add little to the story of the affair, even if what they do contain is trustworthy. The writer composed his work more than forty years after the event, a fact which M. Daudet does not seem to have noted, for he says they were written "plusieurs années après." The tone of the author's *avertissement* would lead one to bring the date of composition still further down in the eighteenth century, but an interval of forty years is enough to dim a man's recollections. Moreover, judging from the account in the *Mémoires* themselves, Du Cause knew little about the conspiracy except what he was able to overhear of a single interview between Vanden Enden and Latréaumont, important portions of which were inaudible to him. His account is, therefore, largely drawn from his conversations after the dénouement. When he pretends to tell what was said by the Prince of Condé, Marshal Villeroy, and M. Le Tellier at a secret meeting with Louis XIV., and explains how all this conflicting advice agitated the King's spirit, one wonders what avenues of information he possessed, so that he could speak with authority where the ordinary observer could go no further than a conjecture. M. Daudet has compared his testimony at the trial, covering his connection with the case, with what he relates in the *Mémoires*, and has found the two in complete agreement. This should strengthen one's confidence in other parts of the narrative.

It is unfortunate that M. Daudet has not given the history of the manuscript, so that the reader might be guarded against the suspicion that it originated in the fertile brain of some eighteenth-century lawyer, whose inventiveness was provoked by the possibilities of the tale. The case long attracted legal minds, for as late as 1735 an important collection of the documents was made by MM. de Chavannes and Berryer. The manuscript of the *Mémoires*, it also appears, was in the archives of one whose ancestors belonged to the old French magistracy. And this is all that M. Daudet tells us of its history.

M. Daudet thinks the more highly of Du Cause's veracity because of the frankness with which he speaks of his own misdeeds. But even if the relation of his own villainies is a work of piety, because it shows how humble an instrument Providence chose to save the Great King, what is to be thought of a man who in the calmer light of old age would blacken his mother's reputation by irrelevant details of her wickedness?

As a simple tale the book is successful. Its narrative, which goes straight on from one incident to another, and is well put together, steadily gains in interest, until toward the end the reader is a little wearied by the importance Du Cause gives himself because he revealed this curious conspiracy. He now has a grievance and ceases to be entertaining.

HENRY E. BOURNE.



*La Guerre de Sept Ans: Histoire Diplomatique et Militaire.* Par RICHARD WADDINGTON. Tome I. Les Débuts. (Paris: Firmin-Didot et Cie. 1899. Pp. iii, 755.)

Two years ago the author of this work described in his *Louis XV. et le Renversement des Alliances* the diplomatic struggle which preluded the Seven Years' War. He now begins the narrative of the war itself with an account of the conflicts in the cabinet and on the field from August 26, 1756, when Frederick set his troops in motion toward the Saxon frontier, until the disastrous defeat of Leuthen in December of the next year had ruined the Austrian army. This period he rightly regards as highly interesting, because of the skill with which the game of war and of diplomacy was sometimes played, and, even when there was bungling, because of the tremendous stakes that were ventured. His excuse for again going over ground so often traversed is that it has not been examined with such detail by any French historian, and that he has found much unutilized material, particularly in the Newcastle Papers in the British Museum, which until recently were not accessible, and in the correspondence of Kaunitz and Stahremberg. With the aid of this material he has been able to make much plainer the course of the negotiations which ended in the secret treaty of Versailles, May 1, 1757, the scheme for the neutralization of Hanover, and the Convention of Closter Seven. His descriptions of the principal battles of the two campaigns are sufficiently clear and full, but they are of secondary interest in a work like this.

M. Waddington could have given greater compactness and unity to his treatment of the subject had he occasionally summed up or sketched despatches of diplomats or soldiers which he quotes at length. He has by this method of extended quotation forced upon the reader work of analysis and characterization which it was his own business to accomplish. And yet such a method is not without advantages. The reader is brought so close to the sources of information that he is in a measure able to control the author's judgments.

M. Waddington regards Frederick's refusal to compromise with the Elector of Saxony at the outset as a serious blunder, because the Saxon army, though badly provisioned, was formidable enough to delay him until the season was so advanced that a campaign in Bohemia was out of the question. It would have been fortunate for him had the Elector, who was also King of Poland, retired into Bohemia, according to his first plan. Frederick's oppressions in Saxony made a bad impression in Paris and galvanized into a semblance of life the already dying enthusiasm for the Austrian alliance.

In some respects the best-worked-out story of diplomatic success is the account of Stahremberg's efforts to embody in the secret treaty of Versailles a programme which pledged France to a leading part in the purely Austrian attempt to ruin Frederick. As M. Waddington sums it up, Stahremberg had procured heavy subsidies for the whole period of the war, while all notion of reimbursement was abandoned; and he had made the cessions of territory in the Low Countries contingent "non au re-

couvrement de Silésie et du comté de Glatz, comme l'avait accepté en dernier lieu l'Impératrice, mais bien à l'entrée en jouissance de toutes les conquêtes que revendiquait l'Autriche." And all this had been gained in spite of the demands which the struggle in India and America already made upon the French resources and in spite of the French desire to operate mainly on the lower Rhine or against Hanover.

Another incident which M. Waddington has set in a clearer light than previous discussions, particularly those of the English historians, have given it, is the Convention of Closter Seven. For this purpose he has made a large use of the Newcastle Papers. The Convention was signed September 8, 1757, by Cumberland, the commander of the Hanoverian army, as the only means of saving his troops from capture by the Duc de Richelieu. Although its terms were humiliating to Hanover, to George II., the King-Elector, and to England—how humiliating may be guessed from Horace Walpole's exclamation, "Believe me, it is comfortable to have an island to hide one's head in"—M. Waddington declares that Cumberland simply carried out his father's explicit directions. This conception of the affair is not a new one, for contemporary observers suspected the same thing; and yet it is possible to see from the documents and correspondence which the author quotes so extensively that the case against the old King is not quite so strong, and that Pitt touched the very sources of the blundering when the enraged George denied that he had given orders for such a treaty, and Pitt deprecatingly replied, "But full powers, sir; very full powers."

To prove his thesis M. Waddington carefully describes the directions George sent August 11 to Cumberland under the impression of the defeat of Hastenbeck and the rapid retreat of the army upon Stade. It is clear that Cumberland had full powers, and that George bound himself "tenir ferme et stable, . . . exécuter ponctuellement tout ce que le dit notre très cher fils aura stipulé, promis et signé en vertu du présent pouvoir," etc., etc. But would not the King's surprise at the extraordinary use Cumberland made of these powers have been natural in a person less shifty even than this old monarch? For, what in his mind was the controlling purpose of the whole negotiation? In the first supplementary note he says that he is sure Cumberland "ne fera de cette autorisation que tel usage qui aboutisse au salut de mes états et de mon armée," and in the third he repeats that he has taken such action "afin que tous ces pays [Hanover and its West-German allies] soient soulagées et les troupes conservées." He had a just reason to be angry then when he found that Cumberland had signed an agreement which did not accomplish half of the object of the negotiation. Nothing was said in the Convention about the treatment Hanover was to receive and M. Waddington himself describes fully the manner in which it was "bled pale." The Duc de Richelieu was so anxious to enrich himself that he winked at pillage by subordinates and the soldiers, who gaily called him "le Père Maraude," and the mansion he built in Paris with a portion of the spoil was fittingly nicknamed "Pavillon du Hanovre."

But this was not the King's only excuse. His instructions reveal irresolution aggravated by panic. He wants from his son further light on the situation, and asks that no agreement be signed until full powers to sign have reached Richelieu from France. On the sixteenth he also said that the negotiation should not be terminated until word had been received from Vienna in regard to his overtures for a separate peace. Here was evidently a desire to enjoy some of the benefits of an armistice, and at the same time to avoid paying the bitter price if some victory of Frederick's should turn the luck, or overtures from Vienna should change the face of affairs. Cumberland, feeling the burden of a desperate situation, could not penetrate his father's mood and failed to realize his father's hopes. M. Waddington is not quite fair in so unqualifiedly charging the King with duplicity because he denied ordering such a Convention as that of Closter Seven.

In his first account of the affair M. Waddington leaves the impression that it was the untrustworthiness of British promises which rendered the agreement worthless from the beginning. But it is evident that if the King and his advisers only waited for an opportunity to extricate themselves from their embarrassment by taking advantage of the strange omission of a time-limit in the terms of the Convention, the French court sought to accomplish the same result by interpreting the articles. The author relates that Richelieu told General Donop that the Hessians should lay down their arms as soon as they should arrive in their own country. This bit of information brought the Hessian contingent to a sudden halt. Furthermore, the reservations with which Bernis consented to the Convention were largely responsible, as M. Waddington later remarks in his judgment upon Richelieu, for the rupture.

M. Waddington gives one chapter to the war between the French and English in America, but he says nothing of the struggle in India, which he will doubtless describe in connection with its later and more decisive phases. In his list of books on this campaign he mentions none of the recent works except Kingsford's *History of Canada* and Parkman's *Montcalm and Wolfe*. His own account is, on the whole, satisfactory, although in certain matters of detail he does scant justice to the English side. For example, he speaks of Bradstreet's fight with M. de Villiers as a "combat indécis." A note explains that both French and English claimed the victory, and adds, to throw discredit on the English claim, that their losses were the heavier. But the English were fired upon from an ambuscade while in their boats proceeding unsuspectingly up the river a few miles from Oswego. When they succeeded in reaching their enemies the fortunes of the fight seemed never to have left their side, and the French were decisively repulsed.

Again in the attack on Oswego he regards the abandonment of Fort Ontario as premature because the French had not yet armed their batteries. But the fort was constructed of stakes or beams driven into the ground, a good defence against small arms and swivel guns, but worse than useless against cannon. And Colonel Mercer feared that if he

waited until the French heavy guns opened, the walls would be knocked to splinters, and he would lose both fort and garrison.

In his account of the unsuccessful defence of Fort William Henry, M. Waddington fails to do full justice to the gallant efforts of the defenders. He gives the impression that the display of the white flag was sudden and without sufficient reason. His eyes are too closely fixed upon Montcalm's skilful approaches to note the struggles and sufferings of the garrison. In describing the massacre which followed he minimizes the loss of life, even seriously quoting the ridiculous estimate of Vaudreuil of five or six as a possibility, though lending more weight to the opinions of Lévis and Père Roubaud, who were agreed that fifty were killed. Perhaps this is not too much partiality to expect of even so scholarly a French writer. The spirit of the narrative is studiously fair throughout.

It is unfortunate that a book so rich in material is not provided with a detailed table of contents, to say nothing of an index. The table of contents occupies half a page.

HENRY E. BOURNE.

*Mémoires du Comte de Moré* (1758-1837). Publiés pour la Société d'Histoire Contemporaine par M. GEOFFROY DE GRANDMAISON et le Comte de PONTGIBAUD. (Paris: Alphonse Picard et Fils. 1898. Pp. 343.)

CHARLES-ALBERT DE MORÉ DE PONTGIBAUD, afterwards the Comte de Moré, was born April 21, 1758. He was the second son of the Comte de Pontgibaud, whose estates were in Auvergne. In 1773 he went to live in Paris, where he at once gave himself up to such a life of dissipation that his family became alarmed lest they should be scandalized. Accordingly they decided to have him imprisoned and procured a *lettre de cachet* for the purpose, ordering him to be confined in the castle or *donjon* of Pierre-en-Cize. This was in 1775. In the autumn of 1777 he dug his way through the ten-foot wall of his cell and made his escape. Through a neighbor he announced this to his father. Having learned that Lafayette and other Frenchmen had gone to help the Americans against the British, he proposed to his father through the same messenger to try the fortunes of war in America. His father consented and granted him a pension, and ere long the young man was crossing the Atlantic.

His vessel was wrecked in Chesapeake Bay and plundered by pirates and he himself left destitute. He made his way to Williamsburg, and saw Governor Jefferson, who gave him a passport, with which he set out to find the army. He presented himself to Lafayette, who made him an *aide-de-camp*. He seems to have been constantly with Lafayette from that time forth.

His first battle was the battle of Monmouth. Of Lee's retreat he says: "I was present at that affair, when M. de Lafayette was under the orders of Lee. We were beaten completely; our soldiers fled in the

most beautiful disorder ; we were never able to rally them, nor to make as many as thirty men stop ; and, as is usual, the general who commanded was accused of treason." The author of the *Mémoires* speaks rather briefly of the operations of the army about New York, but he gives in considerable detail the story of Arnold and André. He tells us that he was present with Colonel Hamilton when the latter examined the prisoner who proved to be Major André.

A feature of the siege of Newport is thus described : "Scarcely had the troops of the line disembarked when the militia arrived to the number, I believe, of ten thousand men, as well on foot as on horseback. I have never seen a more comical spectacle." He proceeds to describe them, then he adds : "I judged that these warriors did not come to see the enemy too near, but to help us to eat our provisions ; I was not deceived ; the latter disappeared with rapidity."

When Lafayette returned to France after the raising of the siege of Newport, the Comte de Moré (to call him by a title he did not yet bear) went with him. He likewise returned to America with him, and remained with the army until the surrender of Cornwallis.

In 1793, an exile from France and without means, the count learned one day that the American government proposed to pay its debts. He came to America at once, and received for his services, including interest, fifty thousand francs. The account of this visit is among the most interesting portion of the memoirs. The count met here many noted French refugees, and he also conversed with American statesmen.

The count's view of the French Revolution was rather a melancholy one. He had little sympathy for the revolutionists, but clung to the last to the old order. He was urged to join his former brothers in arms and serve under Lafayette, but he refused. "It has been well said," he remarks, "that the most difficult thing is not to do one's duty, but to know it. I have done mine because I knew it. . . . I believed that I should put myself on the side of the monarchy by emigrating."

These memoirs are written in a style that is straightforward and without flourish, but they are almost always interesting because the count was during much of his life in the midst of stirring events. The *mémoires* proper end with 1814. The volume contains, besides, fifty-one letters of the count, written during the years 1815-1832. There are five engravings in the volume, among them a portrait of the count himself. There are numerous footnotes by the editors, chiefly biographical of persons mentioned in the text. A translation of the memoirs, under the title *A French Volunteer of the War of Independence*, was published in 1898. It should be said also that the French was printed in 1828, but (Honoré de Balzac having been the printer) that edition is now very rare.

EDMUND C. BURNETT.

*Throne-Makers.* By WILLIAM ROSCOE THAYER. (Boston and New York: Houghton, Mifflin and Co. 1899. Pp. viii, 329.)

THIS volume by the accomplished author of *The Dawn of Italian Independence* contains a series of brilliant biographical studies. These are eight in number. The first four are grouped by themselves under the title of the book, "Throne-Makers," and comprise essays upon Bismarck, Napoleon III., Kossuth and Garibaldi. The last quartette consists of Carlyle, Tintoret, Bruno and Bryant; and, as these men were anything but throne-makers, the author introduces them under the sub-title "Portraits." In the first four essays the biographical motive predominates. The man is depicted in action. The other four subjects are rather made the texts for philosophical reflections upon art, literature and life.

These essays are singularly even in merit. The subjects chosen are universally interesting; the description is vivid, the analysis keen, the style terse and eloquent, the whole work dramatic in effect yet without a sacrifice of sanity and thoughtfulness. From cover to cover there is a succession of striking often luminous generalizations which make these essays good models of their kind, compact with thought, wide in range of comparison, and replete with intellectual stimulus for the reader.

It seems to me that the author strikes but one false note in the whole work, and that is a fortunately infrequent note of querulousness toward the days in which he lives. This discordant note jars a little in the author's somewhat forced reference to the recent events in the Philippines and in such barbed complaints as this: "In a time like our own, when literature on either side of the Atlantic lacks original energy; when the best minds are busy with criticism rather than with creation; when ephemeral story-tellers and spineless disciples of culture pass for masters, and sincere but uninspired scholars have our respect but move us not," etc.

Mr. Thayer advances no novel thesis about any of his subjects. He combats no historical judgment. Bismarck is, as usual, the mighty Titan, Thor reincarnated; Kossuth and Garibaldi are heroes of a noble patriotic emotion; Louis Napoleon is the adroit unscrupulous intriguer; Carlyle, the historian of human nature; Tintoret, the artist of rare originality and power; Bruno, the martyr of rationalism, and Bryant the lover of nature, who sometimes sang and always preached. Nevertheless these verdicts which have long been incorporated in the common opinion of our time are here set forth with such skill in narration and with such pungency of comment that there is not a dull page in the book.

He compares for instance the individualism of the Yankee society with the mechanical precision of the German civilization. "That Prussian system takes a turnip-fed peasant, and in a few months makes of him a military weapon, the length of whose stride is prescribed in centimeters—a machine which presents arms to a passing lieutenant with as much gravity and precision as if the fate of Prussia hinged on that special act. It takes the average tradesman's son, puts him into the educational mill,



and brings him out a professor,—equipped even to the spectacles,—a nonpareil of knowledge, who fastens on some subject great or small, timely or remote, with the dispassionate persistence of a leech; and who, after many years, revolutionizes our theory of Greek roots, or microbes, or of religion." Bryant, he says, "came at the end of that metrical drought which lasted from Milton's death to Burns, when the instinct for writing musical iambs was lost, and instead men wrote in measured thuds, by rule." In the essay on Carlyle, perhaps the strongest and most thoughtful in the book, the author pays his respects to a certain type of historians whose work he photographs thus: "the collection of manuscripts, the cataloguing of documents, the shoveling all together in thick volumes prefaced by forty pages of bibliography, each paragraph floating on a deep, viscous stream of notes, each volume bulging with a score of appendices—this is in no high sense history, but the accumulation of material therefor."

Perhaps any title will do for a book of essays, yet it is difficult to see why this one, "Throne-Makers," was chosen. The author himself restricts it to the first quartette of subjects only, but of these four Kossuth might almost rise from his grave to reject the name of "Throne-Maker." Louis Napoleon tried to make a throne and failed, while Garibaldi may scarcely be allowed to take any laurels from Cavour. Neither would Garibaldi's ambition to bear such a title be much greater than that of Kossuth. It would be a strange classification that would really rank the sublimated Junker with two Republicans and a Jesuitical adventurer.

CHARLES H. LEVERMORE.

*Russia in Asia; A Record and a Study, 1558-1899.* By ALEXIS KRAUSSE. (New York: Henry Holt and Co. 1899. Pp. xii, 411.)

WE open this volume with some eagerness. An account of the progress of Russia in Asia, with maps and an appendix of official documents, is opportune at the present time. The author declares, too, in his preface that "in criticizing the rival policies of Russia and England my endeavor has been to present the clear and impartial deduction that a careful study of those policies yields," which sounds promising. He also assures us that he has used more than two hundred authorities, Russian as well as English, although it is hard to understand how any one familiar with Russian can be so careless in his transcription as to write repeatedly *tchinovik* for *tchinovnik* and to employ for the same termination of proper names *-of*, *-off* and *-ov* indiscriminately. Our disappointment, however, begins at about the end of the first page; by the time we get to the last, with its climax of abuse, our feeling is not far from disgust. "Greed of empire," "Muscovite yoke," "career of intrigue," "the ever forward movement of Russian exploitation," "the desire to invade other countries or despoil their rulers," "the swashbuckling attitude of the Great White Tsar," "the Muscovite octopus," "the

code of morals that should cramp her action does not exist," etc., etc., etc.—the book is merely one long diatribe, as violent as Marvin or Vambéry and reminding us of foolish literature in other countries about "insatiable British greed" and "perfidious Albion." The strangest thing is that the writer talks in such a lofty manner about Russophobes as to suggest that he does not suspect he could be taken for one himself, whereas his obvious prejudice deprives his opinion of almost all value. There is not one of his chapters that is historically impartial, and hardly a single description of important events that is not open to cavil. It would take a volume as long as his own to answer him in detail.

The fundamental error of so many, and particularly of English, works that treat on Russian policy and expansion is to regard them as something mysterious, nay, almost devilish. Many people can not be brought to admit that Russians are men much like others, with the motives that are common to humanity, and using means chiefly determined by their circumstances. We may grant that the extension of their empire has been great and rapid, even if not so much so as in the case of Great Britain, that their foreign policy has shown more continuity than we find in some other nations, that their diplomats have often been clever and not over-scrupulous, that the story of their expansion has been stained by more than one act of unjustifiable aggression, or of heartless cruelty, while their rule has brought some curses as well as blessings in its train. There is nothing unique in any of these phenomena. It should not be difficult to see that the great extension of Russia to the eastward has been due chiefly to her having had a huge thinly-settled territory beyond her borders, any more than it is to understand the advantages for colonization presented by the insular position of Great Britain. The conquest of Siberia came about by the same sort of inevitable process as our own "winning of the west"; the subjugation of the Caucasus and Central Asia was not unlike the history of English extension in India and every whit as justifiable, however much we may find to criticize in detail. It is also as natural and legitimate for Russia to desire a port on the Persian Gulf as it is for Great Britain to want Delagoa Bay or an outlet on the Lynn Canal. As for deceitful declarations, even if we choose to call the present occupation of Egypt an inestimable blessing to the inhabitants and a benefit to civilization, the fact remains that, in breaking her promise to leave, England has been guilty of as flagrant a violation of her pledged word as any that has been charged to the Muscovite. When we come to the morality of the designs of the different European powers toward China no one can afford to throw many stones at its neighbors. We in the United States, if we have been taught nothing else in the last three years, have, it is to be hoped, learned to be a little less prompt in adopting the "holier than thou" attitude, perhaps the most irritating fault of the Anglo-Saxon race.

To give a few instances of Mr. Krausse's inaccuracy, he tells us that in Asiatic Russia "the railways which have of late years been pushed with such feverish haste, are nowhere schemed with the view to the development of the resources of the countries they traverse," a statement it

is needless to criticize. We read that "Siberia, bleak and bare, offers small temptation as a field for emigration" [*sic*], and we wonder if the writer knows that, rather to the alarm of the authorities at St. Petersburg, Siberia already receives some two hundred thousand immigrants a year, that new regions are being opened up with American rapidity, and that the development of the immense mineral resources has but just begun. Or again, in order to prove a fixed policy of aggression on her part, we are informed that "European Russia is physically one of the most self-contained countries in the world. Her boundaries are marked out on every side by natural barriers or by racial lines." The truth is that on the east European Russia is bounded by the Urals, which, far from being "a line of demarcation in every sense complete," are in much of their extent rambling low hills or gently rising ground not even of sufficient importance for administrative divisions; on the west the frontiers with Germany and Austria are absolutely artificial, hardly in the smallest degree physical or racial. Finally, neglecting such statements as that the Ameer "can not understand why Russia should advance year by year with unvarying success, while England remains within her ancient limits," when almost the reverse has been the case since 1885 (part of Beluchistan, Tchital, etc.), it is worth while to quote two sentences which express a view often held by those who ought to know better. "Russia with her surplus of land and her paucity of people, her undeveloped wealth and her exhausted budget, is ever agog for more territory, the acquisition of which will still further impoverish what she has, and deplete her resources beyond their present limit. Great Britain, with every inducement to forge ahead, refrains from conquest and restricts her efforts to the further development of what she owns, resting content with the mission she has set herself, to benefit the people over whom it is her destiny to rule." By way of comment here are the areas in square miles of the two empires, as given by the *Statesman's Year-Book* at three dates in the last thirty-five years:

	Russian.	British.
1864,	7,612,874	3,440,628
1881,	8,238,771	8,694,071
	(not including Khiva and Bokhara)	
1899,	8,660,395	11,712,170
	(not including Khiva and Bokhara)	(not including Oman or Egypt).

To borrow once more from Mr. Krausse, "I leave it to those of my younger readers who may delight in mental arithmetic, to discover how long it would take, supposing Russia continues to absorb territory at her present rate, for her to become mistress of the world."

ARCHIBALD CARY COOLIDGE.

*Rāmākrishna, His Life and Sayings.* By the Right Hon. F. MAX MÜLLER, K.M. (New York: Charles Scribner's Sons. 1899. Pp. x, 200.)

THE readers of this REVIEW will remember Vivekananda, the Brahman ascetic and apostle of advanced Hinduism, who appeared in America at

the Parliament of Religions, during the summer of the exposition in 1893. During a prolonged stay in England and America his teachings attracted no little attention. He presented himself as a wandering teacher of the Hindu philosophy, or better, religion of the Vedānta, which is the highest outcome of pure Brahmanism. The fundamental concept of this religion is that there can be one reality only. Brahma, "god," is absolute, infinite, all-pervasive; there is no real thing but God. The entire phenomenal world is *māyā*, "illusion," wrongly conceived by *avidyā*, "nescience." Hence the real self, or soul of man is itself Brahma or Ātman, the all-soul. The soul of man craves not so much an approach to, or union with Brahma, as simply a return to its own true being, a recognition of its full and undivided Brahmanhood. When the human soul has recovered its Brahmanhood it becomes what it always has been and always will be, the Ātman, the highest self in all its glory, freed from the clouds of appearances, freed from individuality, personality, and the delusive phenomenal world.

This, briefly, is the scheme of Brahmanical salvation. If we ask how it may be accomplished the Vedāntic answer is, by knowledge and devotion. Since the phenomenal world is an illusion, there can be no true knowledge of, and indeed no true devotion to, anything beside the supreme all-spirit. Knowledge that perceives its essence, devotion that reciprocates the supreme loving will, they work the unobscured godhood of the individual soul. In order to better separate themselves from the deceptive outer world the Hindu devotees resort to the so-called *yoga*, *i. e.*, ascetic exercises, control of breath, concentration of sight upon a single point; by these means they have learned to put themselves into a faint or trance (*samādhi*), lasting sometimes an appalling length of time. Such devotees by their ascetic acts, their fervid piety, and their ecstatic sayings continue in our day to exercise a powerful influence both upon philosophers and the masses of the people. In very rare cases a kind of canonization by public opinion takes place. They are then recognized as saints or Paramahansa, "supreme light"; their close approximation to absolute Brahmanhood is implied. In the past fifty years four ascetics were thus sought out and honored by the people for the sanctifying influence of their character and example. Now Rāmakrishna became a Paramahansa and Vivekananda is his disciple.

To Vivekananda Professor Max Müller owes in the first instance the collection of this latter-day saint's scattered sayings. In addition to the sayings themselves Müller has added a sketch of Rāmakrishna's life, and an analysis of the essentials of Vedānta philosophy, both written with his wonted charm and skill of presentation. As a whole the little book marks one of the summit points of recent scientific religious literature. Müller's penetrating insight into the broad facts of Hindu intellectual history is coupled in this instance with all the just criticism needed for a true valuation of Rāmakrishna's personality and teaching. A Hindu John Tauler or Thomas à Kempis is what we have before us, a man consumed with the passion for God. His strenuous

efforts to realize the Divine in himself lead on a strangely exact parallel line to the mysticism of the European "friends of God," but that the man is genuine, that his thoughts and teachings have searched out some of the innermost recesses of religious consciousness no one will doubt after reading the book. "As a lamp does not burn without oil, so a man cannot live without God," this is the key-note. And the Vedantic road of reaching the knowledge of the "True" by devotion to it and forgetfulness of the world is pointed out with every resource of argument and wise saw: "She who has a king for her lover will not accept the homage of a street beggar. So the soul that has once found favor in the sight of the Lord does not want the paltry things of this world." Mystic that he is, Rāmakrishna is at the same time a man of the people; his sayings often have a homely, almost drastic flavor: "Man is like a pillow-case. The color of one may be red, another blue, another black, but all contain the same cotton. So it is with man—one is beautiful, one is black, another is holy, a fourth wicked, but the Divine dwells in them all." Above everything what shall we say of the liberality of mind of this dark-skinned teacher of Bengal who accepts the utmost consequences of his own belief in the Divine unity? Every man, he says, should follow his own religion. A Christian should follow Christianity, and so on. For the Hindu the ancient path of the Aryan poet-sages is the best: "It is one and the same Avatāra (divine descent) that, having plunged into the ocean of life, rises up in one place and is known as Krishna, and diving again rises in another place and is known as Christ." The past of India, not at all inglorious, may yet be followed by a more glorious future.

MAURICE BLOOMFIELD.

*The Growth of Cities in the Nineteenth Century; A Study in Statistics.* By ADNA FERRIN WEBER, Ph.D. [Columbia University Studies in History, Economics and Public Law, Vol. XI.] (New York: The Macmillan Co. 1899. Pp. xvi, 495.)

THE work which has resulted in this book began in Berlin, where Mr. Weber was studying on the Andrew D. White Fellowship, and was prosecuted for months with the aid of the wealth of material in the library of the Prussian Statistical Bureau. Later the study was presented in this country as a doctor's thesis and has been amplified and somewhat popularized for a wider public. Its theme is, first, the dependence of the growth of cities, *i. e.*, compact groups of homes and work-places, upon the industrial organization and the occupations of the people (p. 314), secondly, a statement of such characteristics of city populations and city growth as have been statistically measured, and, thirdly, a discussion of the causes and effects of such concentration of population.

The book may be dissected into two main parts, that intended for the specialist and predominantly statistical, and that intended for the general reader and less bristling with figures. The latter includes a

chapter on the causes of the growth of cities (III.), another on the effects (VIII.), and a final chapter on tendencies and remedies, in all nearly a third of the volume.

The method applied, especially to the first and second topics, is the statistical, and in the care and skill with which it is used and in the wide sweep of the figures embracing nearly all civilized countries lie the main merits of the work. The theme is a familiar, not to say a hackneyed, one, but never before, at least in English, have methods of comparison and statistical induction been so systematically applied to it. Even in the simplest subjects, the field of international statistical comparisons is strewn with pitfalls wherein many an unwary novice has fallen. Most painstaking efforts and constant alertness are needed to avoid unsound inferences. In this book the necessary pains have been bestowed. Thus my eye looking at random over the pages lights upon a table (p. 266) showing for certain classes of cities in Austria, Germany, Scotland and the United States the proportions of the people born in the city, immediately about it, elsewhere in the country, or abroad. It is explained in a footnote that the immediately surrounding country comprises the *Gebietstheile* (provinces, etc.) in Germany, the *Land* or province in Austria, the native county or border counties in Scotland, the state or commonwealth in America. Work done after such a fashion will not need to be repeated. The thoroughness and breadth of its statistical method then deserve ungrudging praise.

In a study such as that of Dr. Weber, and in nearly all statistical work, the definition of fundamental terms is of primary importance. What is a city? Not a place surrounded by walls, for few cities now have walls. Not a place holding a special charter of incorporation, for this varies with local custom. Not a place calling itself a city, for the word in local use has no fixed meaning. There are many "cities" in the United States of less than five hundred inhabitants. The definition that Dr. Weber accepts, following the best statistical authority, is that, for statistical purposes, a city is a place having more than 10,000 inhabitants.

This definition was the best possible basis for the work he had in hand, but it seems probable that modern statistics is slowly feeling its way toward a better one. For the definition makes no limitations upon the area of the place beyond that implied in the fact that it is governed as a territorial unit. Thus under this definition, Greenwich, Connecticut, in which 10,131 people reside on forty-nine square miles, is a city, while Montclair, New Jersey, in which 8,656 people reside on six square miles, is not a city. Yet if in the two cases the population is distributed with equal evenness, it is clear that the urban characteristics of Montclair must be better defined than those of Greenwich. As the modern census finds it impossible to do what Dr. Weber not unnaturally desires (p. 17), viz. to report separately the population of areas not defined by public acts like charters, it seems not improbable that the difficulty just outlined will lead ultimately to a statement by census authorities of area, popu-



lation and density, side by side. In that case the line between urban and rural population could be drawn on the basis, not of actual population, but of population to a unit of area. Dr. Weber's objection (p. 10) that in such a case a group of farmers' houses crowded together like a German *Dorf* would be classed as a city is sufficiently met, I think, by saying that the area of such a village apart from the farms would seldom, if ever, be given separately and hence its density of population could not be reported. If this is not a complete reply, it might be found best to define a city for statistical purposes, by stating both a minimum population and a minimum density, but I am disposed to believe that the more significant criterion is density.

The great difficulty with all such statistical works as the present is that they are not strictly speaking books. A book is a work of art, it has unity and progress. The selection and rejection of material is guided by a consideration of the end which the material serves. That a man uses tables to further his argument in no wise relieves him from his obligations to his readers. On the contrary, he is all the more bound to grip and hold their attention, because his tables tend to shake it, in the same way that a lecturer who uses lantern illustrations may be less finished and careful in his writing or speaking, because of the aid the pictures furnish him. Only a few statistical writings can stand such a test; one thinks, for example, of certain speeches of Burke, or Gladstone, and *The Growth of Cities* is not of that class. It has not been fused into a whole. It presents the results of the writer's efforts to inform himself, not of his deliberate, persistent efforts to convince his readers. He does not carry his subject easily, but is a little oppressed by its magnitude and complexity. It is, however, a good compend, not a book, but a source of material; the facts regarding city growth have been carefully brought together and the statistical statements may be fully trusted.

WALTER F. WILLCOX.

*A History of the American Nation.* By ANDREW C. McLAUGHLIN, Professor of American History in the University of Michigan. [Twentieth Century Series.] (New York: D. Appleton and Co. 1899. Pp. xiv, 587.)

THE propriety of teaching American history in the final year of secondary schools is winning rapid assent; but until lately a serious hindrance to the introduction of the study has been the lack of suitable manuals. A new high-school book, therefore, and from Professor McLaughlin, is a notable event; and its appearance just now derives added significance from the author's services as chairman of the Committee of Seven on the Study of History in Schools. Scholarship and ability to tell a story we have a right to count upon always in the maker of such a text, but rarely indeed can we expect that pedagogical considerations will be weighed under auspices so propitious.

But after all a text-book is an evolution, and even from the best

equipped of pioneers ideal success is not to be demanded. Professor Channing's recent *Students' History*—by far the most important previous attempt in this field—with all its singular excellence, is felt by many instructors to be too much a college book. The present volume probably inclines toward the other extreme. To be sure, as the Report of the Committee of Seven shows, Professor McLaughlin sees clearly that merely to repeat for twelfth-year students the old eighth-year work with a fraction more of information is not worth while, and that a high-school book should stand for a definite advance in point of view and scientific method, at whatever sacrifice of anecdote and distributed detail. But in execution the question is one of degree, and I can not but feel that upon the whole the conception of high-school work represented in this volume is unduly conservative.

The accompanying Teachers' Guide, a helpful forty-page pamphlet, partially blunts this criticism, and at the same time it relieves the book from the pressure of pedagogical matter that otherwise would burden the pages. So disencumbered, and with the completeness of detail which perhaps militates against strictly text-book purposes, the work will appeal also to an audience outside the school-room as a welcome addition to our one-volume histories.

From either aspect, the author's interest centres, and rightly, in the national period. This gives him a relative advantage over his chief competitor. Channing's masterly treatment of the earlier history will not easily be matched in any account of equal brevity, and it is fortunate in every way that Professor McLaughlin's strength lies in his chapters dealing with the present, and more important, century. Here we have three hundred pages, compact of sound scholarship and accurate statement, that make a distinct addition to our briefer historical narratives. The assertion (p. 281) that no French frigate had impressed our sailors is of course an error, and to say that Hamilton "had in reality offered up his life for his country" (p. 268) is rather strained; but even such venial slips are rare for this portion of the work. Chief stress, of set purpose, is laid upon political development, though territorial expansion and the growth of the West, with the reaction upon politics, receive due attention. The influence of the author's special studies shows, pleasantly, in the reference to Cass as the father of the "popular sovereignty" doctrine, and in the brief exculpation of the British of the Northwest posts from the charge of inciting savages against the American frontier in time of peace. Elsewhere, too, many current misapprehensions and prejudices are quietly corrected: the account of the West-Florida matter (p. 264) is a good case in point. Many scholars will feel that the belief of the South in the right of peaceable secession is made to appear too exclusively a latter-day product of Calhoun's teaching (pp. 410, 415), but, when we recall how little patience Professor McLaughlin has for those who would allow the Rebellion a technical basis in constitutional history, his treatment of the matter here seems at least studiously judicial. Generous tribute is paid the honesty and heroism of the South, and the contradic-

tory phases of Reconstruction are set forth with admirable lucidity and fairness. I know no brief account of that intricate period so satisfactory. And this sturdy impartiality is characteristic of the book. No page is marred by slur or epithet, and foreign nations are treated with justice and generosity—all without abatement of virile Americanism.

In colonial history we have no right to expect the same easy mastery, but one is constrained to regret the number and character of the errors. The discussion of political development in early New England is peculiarly unhappy. The use of "people" for stockholders (p. 79), even before the transfer of the 1629 charter, guarded as it is perhaps by the context, would be a trivial matter, did it not mislead in a particular where caution is most needed; the attempt on the next page to clear up the relation of company and settlers does not clarify, and the implication in the use of "people" this time is seriously objectionable, considering that not a score of the thousand inhabitants had then any political power. On the following page (p. 81) the too prevalent misconception that the assistants' assumption of power in 1630 was due to the difficulty of bringing together a large number of scattered freemen obscures all the vital facts. The date 1633, on page 82, is, of course, a misprint for 1632. A little further on, in tracing the political development of Connecticut (pp. 88, 89), the older idea that the Fundamental Orders had peculiar federal characteristics effectually conceals the real significance of that document as an evolution from the written and unwritten practice in the mother colony. Similar indications of haste creep into other parts of the colonial story. The suggestion of despotic character throughout the account of Baltimore's charter (pp. 56, 57) is hard measure for the first royal patent that in any way contemplated representative assemblies in America, or any kind of self-government by the settlers; and the contrast drawn between it and the charter to Penn (p. 113), with the context, gives the student a distorted perspective. In the survey of pre-Revolutionary conditions, too, a book of this kind, surely, might abandon the traditional view to a greater degree for that of the recent scientific study of England's colonial policy—if only as a meet introduction to our own subsequent policy in our territories. Not least objectionable in this regard are some of the passages apparently most carefully qualified; the admission regarding England's commercial policy in comparison with Spain's (p. 173) is too colorless to combat the erroneous impressions that nine out of ten students bring with them. Even the more mechanical features give evidence of relative neglect in this part of the book. The footnote extracts from various authorities, and the quotations woven—very effectively—into the body of the story, too often have no authority indicated; while uncensored modifications appear in what wear the face of direct quotations. Thus (p. 46) the passages from the *Planters' Declaration* in 1623 regarding Yeardley's proclamation of 1619, will look to the student, especially with the changes in pronouns and tenses, as if intended for a part of the proclamation itself. Of course, there are many features of special excellence, like the fine treatment of the Quaker

influence (pp. 107-110), but, on the whole, it is plain that these chapters have not received the author's critical attention. Happily, the book can justify itself without them.

The style is always simple and direct, and—despite the extreme compression and consequent occasional suppression of needed transitions—not without charm. Much of this necessary compression is accomplished with utmost skill (though it is provoking, when a single line more now and then would focus some important consideration that is left indistinct, to see five lines go to the probable time and place of the birth of Columbus). A page suffices for the inter-colonial wars down to the final struggle, and probably a like sacrifice of military detail, or else a more scientific study of selected campaigns, might with profit have marked the treatment of other wars. The two-page summary of strategic conditions and problems in 1861 is admirable, but the skeleton campaigns that strew the next forty pages contain little not as vainly attempted in more elementary books. They have too little substance to be of value in themselves, and too much if their purpose is to illuminate political movements. Such a volume, it would seem, should either study strategy or let it alone. One more criticism, and a serious one, concerns the plan of arrangement. The preface and the table of contents promise a reasonable degree of grouping by topics, and the condensation of the narrative requires it; but, though the author has apparently designed a compromise, in practice he never permits the logical sequence of events to impair the sanctity of intact presidential administrations. The resulting repetition adds no emphasis; it blurs.

It should be added that the illustrative material is abundant and of greater interest and value than that in any similar work. The eighty maps and tables and half of the hundred illustrations could hardly be bettered. The common-place pictures of public men, comprising the other half, lack any indication of their source, but are otherwise as good—and as bad—as text-books usually give. A conspicuous merit in mechanical make-up is the good taste in indicating a change of subject by effective marginal catch-words instead of by startling and defacing black-cap headings of paragraphs.

W. M. WEST.

*Calendar of State Papers, Colonial Series, America and West Indies, 1681-1685.* Edited by the Hon. J. W. FORTESCUE. (London: Eyre and Spottiswoode. 1898. Pp. lv, 828.)

THE records contained in this volume of the *Calendar* cover a period in which England had decided upon a more resolute policy toward the American colonies than she had hitherto pursued. This course was prompted by a clearer recognition of the rapid growth in their wealth and population. It would be difficult to say which was the more eager to enjoy the benefit of this growth—the English Exchequer, or the English shopkeeper. Both looked upon the colonial opposition to being fleeced as the unreasonableness of refractory, or the disloyalty of rebel-

lious, subjects, which deserved to be punished, either by the revocation of ancient charters, or by imprisonment in the local or English jails, or by a summary suspension from the gallows.

Throughout this volume there crops out that contempt for the provincial, which is one of the striking traits of the English officer and soldier in the great French and Indian War and the War of the Revolution. It was very much as if the provincial, simply because he was a provincial, had no qualities which the Englishmen of those times held in respect. It is to be regretted that the present editor of the *Calendar* should have shown so plainly his sympathy with this feeling of the English authorities in that age of extreme official superciliousness and gross official tyranny. Thus he characterizes the assertion of the agents of Massachusetts that Edward Randolph had received colonial aid in the performance of his duties "as the king's collector, as a "lie." Massachusetts was a dynasty of the Saints, "under which truth did not flourish in high places." Cranfield is quoted with approval as saying that "Connecticut and New Plymouth were as corrupt as Boston, and more ignorant," while the Rhode Islanders "were a mean and scandalous set of people." Not satisfied with the statement of Culpeper that North Carolina was the "sink of America," the editor further blackens the reputation of that colony by declaring that it was a "settlement of rogues."

This volume of the *Calendar* alone is sufficient to show the thorough selfishness of the policy of the English government toward the American colonies. If there was an English community upon which the Navigation Laws bore with the weight of an iron hand, it was Massachusetts. The sterility of its soil and the harshness of its climate had compelled that colony, at an early date, to rely chiefly upon commerce and the carrying trade for prosperity. A rigid observance of these laws would have meant, if not the ruin of every interest of its people, certainly the partial destruction. It is not strange that they should have resisted, out of court and in court, the enforcement of foreign laws which worked so radically to their own damage; that they should have threatened Randolph, not only with imprisonment, but also with the loss of his life; and that they should have gone so far even as to repair the fortifications of Boston to repel invasion. The only result of all this patriotic opposition to the Navigation Laws on their part was, that they were stigmatized as rebellious, and were deprived of their charter. The true economic interest of the colony was not for a moment considered.

The spirit exhibited in Massachusetts was to be seen in New Hampshire also. The energies of the people there were bent upon thwarting Randolph and his deputies. Not satisfied with this, they declined to recognize Robert Mason as proprietary, and they emphasized their opposition to his claims by the use of gunpowder, hot water and spits. Edward Gove, who headed a serious uprising, enjoyed the distinction of transportation to England and imprisonment in the Tower.

The selfishness and greed of the English government were shown in

Virginia by its positive refusal to listen to the universal demand for a short cessation of tobacco-culture, as the only means of raising the price of that staple, which had now sunk so low in value as to paralyze every interest in the colony. The reason for this action of the government was, that the revenues of the King would be curtailed by the falling off in the volume of English imports, which would follow. The people determined to take the matter into their own hands. What is known as the "Plant-Cutters' Rebellion" now occurred, one of the most curious protests against the action of constituted authority recorded in American history. Suppressed in the day-time, the plant-cutting went on by night. Dropped by the men in fear of punishment, it was taken up by the women. So general was the movement in Virginia, that soldiers were posted on the Maryland side of the Potomac to prevent the spread of the infection into that province. As every pecuniary interest of the colonies was made to lead into the channel of the King's revenues, it appears entirely characteristic that the ring-leaders of the rebellion should have been hung for treason, because in destroying the tobacco, they were cutting down the royal income by reducing the volume of English imports.

There is something whimsical in the complaint of Culpeper, who wrote, when displaced from the governorship, "what the wit of man can expect of a governor of Virginia beyond peace and quiet and a large crop of tobacco, I know not." In spite of this state of affairs, we find the House of Burgesses, a short time afterwards, in a protest against injustice, addressing the King in a manner that caused great indignation at Whitehall. Such indignation, however, seems to have been always aroused there if the colonial victim failed to lick the hand raised to appropriate its revenues.

PHILIP ALEXANDER BRUCE.

*The Family of William Penn, Founder of Pennsylvania: Ancestry and Descendants.* By HOWARD M. JENKINS. (Philadelphia: The Author. 1899. Pp. x, 260.)

IN compiling *The Family of William Penn* Howard M. Jenkins, than whom there could be no one better equipped for such a congenial task, has made an important contribution to the not over-cultivated field of literature devoted to the founder of the great Quaker province. What the author set out to do, and has done very well and exhaustively, was to trace both the ancestry and the descendants of Penn, as well as to give us not a few data anent the Founder himself. He modestly disclaims any intention of dipping into history or biography, yet it is but just to say that he has produced something that will inevitably interest the historian and enlist the attention of even the most phlegmatic genealogist. In short, Mr. Jenkins has displayed so much freshness of spirit and energy (virtues which go not always with this class of work) and he has put together a mass of facts in so orderly and comprehensive a form, that his book bids fair to become, and to remain for many years, *the* authority



upon the Penn family. He is a trained writer who arranges with skill, instead of trying to hurl all his information at the unprotected reader at one fell blow.

One opinion of the author stands out very clearly. He has no doubt whatsoever that the Penns were originally Welshmen. The name itself is distinctly Welsh (*pen* meaning a head or highland) and the Founder himself was so strongly impressed by the probability of this Cymric ancestry that when a name was to be assigned to his new province in America he himself chose "New Wales." "New Wales" the colony would have been called had not his friend and patron, King Charles II., who could be royally polite when he so wished, insisted on the more personal title of Pennsylvania. Watson, in his charming, if desultory *Annals of Philadelphia*, relates how William Penn once said to the Reverend Hugh David: "Hugh, I am a Welshman myself," adding by way of explanation to the dominie, that one of his (Penn's) ancestors had emigrated from Wales into England. Genealogical comparisons made by Mr. Jenkins point to the same conclusion, and he places emphasis on the circumstance—not to mention other evidences—that the arms borne by William Penn (*argent, on a fess sable three plates*) are the same as those of the Penns of Shropshire, whose pedigree fairly "bristles with Welsh names."

Of William Penn's living descendants Mr. Jenkins shows that from the record evidence they appear to be in three lines, viz: 1. The line from Peter Gaskell and Christiana Gulielma Penn, daughter of William Penn, 3rd; 2. The line from Archbishop William Stuart and Sophia Penn, daughter of Thomas Penn, now represented by Major William Dugald Stuart, of Tempsford Hall, Bedfordshire, England; 3. The line from the same parentage as No. 2, represented by the Earl of Ranfurly. "Except through the adoption of the additional name Penn by the Gaskell branch," writes the author, "no living person named Penn, so far as appears, is a descendant of William Penn, the Founder." The Major Stuart who is referred to above is the present owner of all the general estate in Pennsylvania of the Penn family and has twice visited that state. Among the historic relics which he shows at Tempsford Hall are the gold chain and medal presented to Admiral Penn by the Naval Council in 1653 and the walking staff which the unfortunate Charles I. carried to the scaffold. The latter was given to William Penn by Bishop Juxon, who accompanied the monarch to the place of execution.

All readers who take any interest, direct or indirect, in what might be termed *Penniana* are under great obligations to Mr. Jenkins. None the less are they in his debt because he has brought out his book in attractive garb, embellished by many appropriate illustrations, notably portraits of the Penns.

EDWARD ROBINS.

*The History of South Carolina under the Royal Government, 1719-1776.* By EDWARD McCRADY, President of the Historical Society of South Carolina. (New York: The Macmillan Co. 1899. Pp. xxviii, 847.)

PRIOR to the issue of this volume the only histories of South Carolina which contained anything of importance relating to the period of royal government were those of Hewatt and Ramsay. Of these the former was published in 1779, the latter in 1809. Both of them purported to be general histories of the province from its settlement to or beyond the period of independence. Hewatt lived near the time of some of the events which he related, and is said to have derived a part of his information from Lieutenant-Governor Bull. Ramsay, so far as political history is concerned, copied Hewatt though he also embodied in his work original material concerning ecclesiastical, medical, legal, fiscal, agricultural, and commercial affairs, natural history and literature. Hewatt devoted to the period under review 277 pages. Of this nearly the whole was filled with matter relating to climate, topography, social life and customs, Indian relations, military affairs, and events connected with the settlement of Georgia. Not enough space to make even a respectable sketch was devoted to the system of government, or to the internal political history of the province. No attention was paid to the development of legislation, to the conflicts between the executive and the legislature or between the upper and lower house, to the issues of paper money or to the land system. Hewatt did not have access to the archives from which he could have obtained information of this kind, and probably did not seek access to them. Ramsay devoted one chapter mainly to an account of the paper money, and gave a few disconnected facts about constitutional history, but his account of the agricultural system contains nothing of value to the student of institutions. Of the place and importance of the royal province in the system of British colonial government, of the special features of South Carolina as an example of a royal province, of the peculiar relations in which it stood toward the mother country, one will find only hints in these volumes, and those neither many nor very important. By noting thus the great defects of the older literature on the subject we shall the better be able to measure the excellence of Mr. McCrady's volume and the service which he has rendered to the history of his state.

The book consists of three somewhat distinct parts: the history of the period from its beginning to 1765; a series of seven chapters on the social conditions of the province at and before 1765; the history of the last decade of royal government. The chapters on social conditions contain much interesting and valuable matter relating to the merchants, physicians, bench and bar, schools and general social customs of the province. The choice of subjects treated here would seem to have been suggested by Ramsay, but the material presented is much more extensive and valuable. At the same time much that relates to social history is pre-

sented in the other parts of the volume, as the observations on commercial growth, value of lands and development of the press in Chap. IX.; statements quoted at length from Governor Glen's letters in Chap. XIV.; a good deal of the material relating to the settlement of the upper counties, to the negroes, to epidemics and other calamitous visitations to which reference is made in various parts of the volume. But a fatal defect in the author's treatment of the social side of his subject appears in the fact that he has devoted no systematic attention to the land system. In agricultural communities, like those existing in the American colonies, this is a matter of prime importance. Though Mr. McCrary has collected much material illustrating the social history of South Carolina in the eighteenth century, the reader will not find in his book an altogether clear picture of the type of society which existed there. The interaction between social and political development he does not seem to have fully considered.

In tracing the political history of the period the author adheres strictly to the order of time. Wars with the Spanish and the Indians, the succession of governors, controversies between the different branches of the legislature, and finally the events which preceded the opening of the Revolution, are presented in chronological order, in a succession of chapters whose only headings are the dates which fix their limits. This fact, when taken in connection with the author's treatment of social history, shows that he belongs to the same class of historians as his two predecessors, that he has not radically departed from their methods, though he has greatly surpassed them in the amount and value of the material which he presents. In his account of Indian relations he closely follows Hewatt, occasionally borrowing a succession of paragraphs with only slight verbal changes (pp. 75 and 102). One of the most thorough and satisfactory chapters in the book is that in which the history of Oglethorpe's expedition against St. Augustine in 1740 is given, the material for which is largely taken from a report of a committee of the general assembly of South Carolina on the expedition. The subject of the settlement of the upper parts of the province is treated in an interesting manner, but somewhat briefly. The superiority of this book to any which has preceded it appears most clearly in the treatment of the struggles between the different components of the legislature. The controversy over the issue of paper money which continued at intervals from 1724 to 1728; the conflict of 1733 over the claim of the lower house to the right to commit one who was not a member and detain him in prison in spite of a writ of *habeas corpus*; the struggles of the two houses over the insistence of the council on its right to amend money bills, are explained with considerable detail and in a fair and impartial spirit. Presumably the author might have made his treatment of the constitutional history of the province more full, had he made greater use of the journals of the two houses. But his references to these are few, and for his account of relations with the home government he apparently relies on

the calendars of documents in the Public Record Office relating to South Carolina, which were published years ago by the state historical society, rather than on the documents themselves, of which full copies exist at Columbia. But the student will find scattered through the volume a good deal of historical exposition, and of sound reasoning thereon, both of which relate directly to the royal province as an institution of government.

Mr. McCrady treats the events which preceded the opening of the Revolution with an even and impartial hand. This is quite consistent with the attitude which he has maintained toward all the conflicting parties which have passed in review before him in the earlier periods of his history. After assuming a position in reference to the Stamp Act and the other more general issues of the period which is in substantial agreement with that held by Lecky, he dwells at some length on the measures adopted in support of Massachusetts, New York and Virginia subsequent to the passage of the Townshend Acts. Of these the most important in South Carolina was the non-importation agreement. A detailed account is given of the origin of this among the mechanics and merchants of Charleston, of the vehement opposition made to its enforcement by Drayton and others, and especially of the controversy over the matter in the *Gazette*. "It was indeed a grave and serious question," says the author, "whether the colony of South Carolina had as yet received any such wrong at the hands of the mother-country as warranted this measure of non-importation." In connection with the history of this episode and of the beginning of the difficulties with the Regulators the author finds opportunity to draw an admirable character-sketch of William Henry Drayton. Another interesting fact suggested by Drayton's career is the change in the personnel of the Council. In the earlier years of royal government, natives of the province are said to have held the large majority of seats, but as the Revolution approached it had come to be filled mainly with placemen from England. It would be important to know if that were generally the case throughout the colonies. The rise of revolutionary government and the decline of royal power are traced till the close of the administration of Lieutenant-Governor Bull in June, 1775, and the arrival of his successor Lord William Campbell. At that point Mr. McCrady considers that royal government came to an end, and that Governor Campbell's efforts to recover the power which had been lost constitute a part of the history of the Revolution. This he reserves for future treatment.

The reviewer has found but few errors in this volume and those of comparatively slight importance. In point of style he considers it superior to the author's first volume. For its thoroughness and breadth of view it is worthy of high praise. It is not specifically a study of a royal province as an institution, but a general history of the province during the period under review. As such, and when regarded scientifically, it is open to some criticism respecting the selection and arrangement of material. Had the author limited himself more strictly to the

history of political development and to a study of social forces in their bearing upon that, he might have given the reader a clearer idea of the goal toward which events were tending. But the work is so excellent in itself, and is to such an extent superior to any of its predecessors, so far as they relate to the early eighteenth century, that the reader must heartily welcome it, and express the hope that Mr. McCrady will soon give to the public the result of his researches into the period of the Revolution.

HERBERT L. OSGOOD.

*The Narragansett Friends' Meeting in the XVIII. Century*, with a chapter on Quaker Beginnings in Rhode Island. By CAROLINE HAZARD. (Boston and New York: Houghton, Mifflin and Co. 1899. Pp. vi, 189.)

THE distinguished President of Wellesley College has thrown an arrow—not in Parthian malice, but in loyal affection—toward her native Narragansett, as she leaves its laurel groves for the hills of Massachusetts. The book is chiefly drawn from eight folio volumes of records belonging to the mens' meeting, with three volumes treating of the doings of the women, who were certainly an important constituent in the Friends' system of living. She does not tell us where the original records are deposited. Besides this matter and the preliminary essay on early Rhode Island Quakerism, there is an interesting reprint of the *Quaker's Sea Journal, Being a True Relation of a Voyage to New England, Performed by Robert Fowler of the Town of Burlington in Yorkshire, Anno 1659*. This tract was recently copied in the British Museum by Miss Hazard with her own hand. It is an account of the voyage of the first considerable number of Quakers, and their vessel the *Woodhouse* which ran into the harbor of Rhode Island in the summer of 1657.

The well-known story of Mary Dyer is treated at length. We are not to forget that there was an irreconcilable conflict. The Puritans drove out the Quakers, persecuting them according to the methods of the time, in obedience to a high motive, as they conceived it. Ecclesiastical authority knew no toleration, except in the precincts of Roger Williams, and his influence did not extend far as yet. On the other hand, Mary Dyer went back voluntarily to her martyrdom. Our author well says, "She had tasted the glories of martyrdom, and could not rest till she was counted worthy to suffer to the end. If, in our modern spirit, we inquire what her husband and children said to her sacrifice not only of herself but of them, and the suffering and pain she brought them, her grave face, with its rapt expression, rises to rebuke us. This life was nothing, the next all, in those stern heroic times" (p. 38).

As in every conflict of the spirit with material force, there was a bane and antidote, which could not be rendered in statement, nor controlled by statute. A woman was whipped at Weymouth. "After whipping, the woman kneeled down, and prayed the Lord to forgive those persecutors; which so touched a woman that stood by, that she said, 'surely she could not have done this if it had not been by the spirit of the Lord.'"

The ground was furrowed and the seed was sown broadcast, when George Fox came to Rhode Island in 1672, to nourish and to garner in the crop. Early in his visit he crossed the Bay to Narragansett and held his first meeting, probably at Jireh Bull's block-house on Tower Hill. Four years later, at the same place, the forces of Massachusetts and Connecticut mustered and moved out to crush the great tribe of Narragansetts in the swamp fight. The bloody track of the Puritans and the gentle way of the Quakers crossed on the beautiful slopes of Tower Hill. We could not have a state without the one, nor any liveable society without the equivalent of the other.

The Narragansett meeting extended its outposts over the whole South County, and even to Stonington in Connecticut. Miss Hazard tells its story in seven topical chapters. The aspirations of the spirit were heavenly, the meddling of the "overseers" was something worse than earthly. To "Deal timely with such as walk Disorderly" meant mischief. The Friends dominated Narragansett in the eighteenth century, and they frowned upon the courts and legal methods, as they did upon all the functions of an established state. Yet probably there was never a more litigious community than was developed there.

About 1761, they received a manuscript copy of the English book of discipline, which became the basis of their action. There was a deep beneath a deep in matters spiritual, which the "New Lights" claimed to fathom. Two Friends dealt with a man who "has lately joined in their (the Separates') Worship so far as to Stand up with his Hatt off in the Time of their Praying." Persecution built up the Friends as a sect; when it ceased their system waned.

We may regret that these records yield no more matter of direct historical interest. The accomplished author has drawn out the best. It is mostly an account of narrow domestic life and petty discipline. The high spiritual ideal of Friends of the seventeenth century could not stem the invading influence of a widening civilization.

W. B. W.

*The Story of the Revolution.* By HENRY CABOT LODGE. (New York: Charles Scribner's Sons. 1898. Two vols., pp. xv, 324; xii, 285.)

THIS work may be regarded as one of the latest contributions to the gratification of the prevailing taste in our country for military stories and pictures. It is dedicated however to what may be considered even in these warlike times as a special class: "The Army and Navy of the United States, victors of Manila, Santiago, and Porto Rico, worthy successors of the soldiers and sailors who under the lead of George Washington won American independence."

Neither service will expect to find the literary work of a civilian, however accomplished he may be as a writer and a statesman, replete with lessons in strategy and tactics or military policy. One should not



be surprised to find in the first volume of this work a list of illustrations covering six pages followed by a list of maps that does not take as many lines; and in the second volume a three-page list of illustrations without any mention of a map. The second volume does however contain three maps. The work is devoid of any general map of the colonies or of the British possessions in North America. The illustrations are mostly works of the imagination or out of date. No references or authorities are given. Figures and dates are scarce.

The reader will be charmed with the author's graphic and vigorous, often eloquent language. But he may be influenced by it to pass over unscanned or unquestioned statements of doubtful meaning or correctness. Referring to the beginning of the war, "The First Blow," the author says (I. 27, 28), "If one wishes to explode a powder magazine it is sensible to fire the train which leads to it. But if one does not desire to explode gunpowder, it is prudent not to throw lighted matches about in its immediate neighborhood. The British acted on the superficial aspect of the case without considering ultimate possibilities and results. They kept lighting matches to see whether the explosive substances under their charge were all right and finally they dropped one in the magazine." In literal terms this would read about as follows: The British continually resorted to arbitrary force to assure themselves that the colonists would resent it and at last certain colonists resented it with force and so set the country in revolution. This is certainly a novel explanation of the way in which the war commenced. In every case of revolution or rebellion the government in power has to choose between force and diplomacy. If it chooses diplomacy, it must not, for the time being, resort to force. If the revolutionists prepare to use force, the government should content itself with making similar preparations, keeping pace with the enemy, and if possible getting a little ahead of him. Such was Lincoln's policy at the beginning of our civil war and such McKinley's or Otis's at the beginning of our present war in the Philippines. The responsibility for the first blow in each case was thrown upon the enemy. The British, on the other hand, precipitated the war of American revolution by trying to get possession of a paltry supply of muskets and gunpowder which they could have offset by the cargo of a single transport and of a couple of leaders whom, for the time being, they should have regarded as purely political factors in a purely political contest.

The diplomatic side of the war is treated clearly, fully, and brilliantly. The political side is made equally interesting and impressive, but in one respect seems incomplete, for the author says nothing about the machinery by which the first Congress had been called into being or by which the governments of the several colonies were transformed into governments of independent states. He hardly refers to a committee or council of safety or a convention. But the political essence, the great central fact, of the revolution, the Declaration of Independence, he discourses on in his most felicitous and most effective style. His discussion of Jefferson's conception and literary execution of the Declaration of Indepen-

dence is a combination of feeling and logic, which, like the noble subject of which it treats, should be read by every one who wants to be thrilled with "the spirit of '76." A specially effective piece of description is the chapter entitled "How Peace was made," in which the commanding character and intellect of Franklin are the salient features.

The author fails, as historians generally have done, to take a large enough view of the theatre of war. No one can justly appreciate the grand strategy of the Revolution without an appreciation of the geography of North America as determined by the Quebec Act. The advantage of the course and valley of the Hudson as a line of invasion is imperfectly indicated from a lack of appreciation, it would seem, of its location with reference to Europe on one side and the great Indian territory governed or controlled from Detroit on the other. That Great Britain relied upon communication with Europe and the co-operation of Indians was an important factor in its estimation of the strategic importance of the Hudson valley.

The author says: "The first military and political object of England when actual war came obviously would be to divide New England from the middle colonies by controlling the line of the Hudson River to the lakes lying on the border of Vermont and New York. The key of the position [he must mean for the British] was the fortress of Ticonderoga which commanded the lakes and in this way the road from Canada to New York harbor." In reality Ticonderoga, a point on the line formed by Lake Champlain, Lake George and the Hudson, simply blocked the passage up and down the natural line of travel and operation. It did not cover either the lakes or the Hudson against an attack either from the East or West. It could not prevent a passage across the great line of intended partition. It did not command that line in any sense that entitles it to be called "the key of the position." Nor was the line in question a "position." To call it one is to betray a misconception of the plan of operation. It was the line by which the territory of the revolted colonists was to be cut in two, but it was not simply to be won and held. Moreover, the isolation of New England, if accomplished, would not have crippled it, and would have been but the beginning of its conquest and subjugation. The experience of the North in isolating the greater part of the South in the Civil War and proceeding to conquer it shows about how far isolation goes toward breaking the spirit and destroying the resources of a people.

It is great injustice to Burgoyne to say, as the author does (I. 230), that the British ministry gave him everything that he wanted. It did not within 25 per cent. give him the force which he wanted, and asked for, and represented as necessary.

Schuyler and Gates are compared with each other and, as usual with historians, to the advantage of Schuyler. Into the merits of this comparison it is not worth while to go. Whether or not Gates was as good a soldier as Schuyler, he was not such an "old woman" as certain historians try to make him out. Ever since the history of our Revolutionary

war begun to be written, Gates has been held up to scorn and contempt because at the first battle of Saratoga he did not reinforce Arnold so as to enable him to win a decisive victory. Gates had his army in a position of his own choice which had been skilfully and laboriously prepared for defence. Arnold, seeing the enemy approach, could not control his impatience for a fight. He sent out Morgan's riflemen and some light infantry to check him. The advance-guard affair thus brought about should, according to most critics of the battle, have determined Gates to abandon his intrenchments, come down from the commanding ground on which he stood, plunge into the low-lying woods through which the British were advancing, and engage in a general offensive operation. If these critics are right, Lee made a mistake in receiving Burnside's attack on the heights of Fredericksburg. He should have come down onto the flats that lined the Rappahannock and closed with the enemy there. Meade should not have waited at the ridge at Gettysburg for Pickett's division to work its bloody way up to his lines, but should have met it in the bottom of the valley. Thomas should not have remained at Nashville, while Hood was forcing Schofield back upon him; he should have abandoned his fortifications and gone to help Schofield win a decisive victory at Franklin. If Gates made a mistake on the occasion in question, it was in sending forward as many men as he did, and he probably did not send out any until he saw that his plan for a defensive action had been thwarted. Opprobrium has been heaped upon him for relieving Arnold afterwards from command. If Gates erred in this instance it was in not having Arnold court-martialed.

The author finds fault with Gates further as follows: "Instead of following up his advantage and attacking Burgoyne, he sat still and looked at him." When about three years later he threw himself, imperfectly prepared, upon the advancing enemy at Camden, and so sacrificed his army, was he not perhaps impelled by a recollection of the unreasonable criticism of his caution in the Saratoga campaign? When an enemy is cornered or invested, there are two ways of disposing of him or killing him off, one by bombardment, fusillade, or assault, in short, by destruction, one by depriving him of food and water, in short, by starvation. Destruction works quicker than starvation, but, except in point of time is more costly. What is more important, it involves a large element of chance, while starvation is absolutely certain. Great commanders have generally favored a combination of both methods, placing their chief reliance, however, in starvation. Such were Gates's tactics, when he had Burgoyne surrounded at Saratoga, and it is confidently asserted that no one in his place could have subjected the enemy to greater discomfort of mind and body than he did.

The author foregoes all allusion to our breach of the "convention" which Gates made with Burgoyne, and leaves the reader under the impression that the officers and men who surrendered and agreed not to serve again against America were allowed, as the convention stipulated, to go to England, and set an equal force free for service in America.

The point of the whole story, the net military result of the campaign, is thus imperfectly presented.

American as well as British historians have severely condemned the action of Congress in repudiating the stipulation that the British prisoners should be allowed to return to England. Congress had the right to review the agreement made by its general, and it was their duty to approve or disapprove of it as might seem to them to the interest of the people whom they represented. Burgoyne should have known or understood that the convention was not a perfect compact until ratified by Congress, and that if he anticipated its ratification or approval, he did so at his own risk.

Gates is justly criticized for giving Burgoyne the terms which he did instead of insisting upon unconditional surrender. He gave Burgoyne substantially the terms which Shafter gave Toral at Santiago, but he was not justified by either of the two facts in Shafter's case that the Americans commanded the sea, and that the terms were approved by the President before they were finally settled. It may, however, be questioned, whether Gates's concession was due as the author implies (I. 258) to lack of force or aggressiveness. It seems to have been due simply to imperfect apprehension or consideration of the element of sea-power in the enemy's case.

The Results of Saratoga form an interesting chapter on foreign relations and diplomacy. The next chapter, "Fabius," which closes the first volume, is devoted chiefly to the operations of Washington's army during the campaign at Saratoga, and carries the war on to the battle of Monmouth. The importance of Washington's achievement, preventing both Clinton and Howe from helping Burgoyne, is properly dwelt upon. The author says of Howe (I. 282) "He was not thinking of Burgoyne, did not understand the overwhelming importance of that movement. . . ." The real cause of Howe's inaction with reference to Burgoyne was his confident belief that Burgoyne would not need his assistance, provided that Schuyler, whom he thought throughout the operations in question to be in command, was not assisted by Washington. Howe meant by his movement on Philadelphia to keep Washington, if possible, from joining Schuyler, and if not, to give up Philadelphia and go after Washington. He meant to attract Washington or to follow him and neutralize him, wherever he might go. As both Washington and Schuyler were between Howe and Burgoyne, Howe's plan was radically defective. Howe could hardly keep Washington from slipping away and joining Schuyler in time to crush Burgoyne before Howe could interfere. Much less could he prevent Washington from detaching fractions of his army to reinforce the Northern army. That Howe's plan, as regards Washington, had the appearance of working well, was due to the fact that Washington confidently believed that Schuyler did not need his assistance. Hence neither Washington nor Howe allowed his attention to be diverted from the other by occurrences in the North.

The author inveighs against the "inhuman scheme" of employing Indians to ravage the frontier and raid the settlements, but does not allude

to the fact that the colonists tried to employ Indians against the British and did so about as far as they were able. He might have contented himself with remarking that the general military situation made it impossible for the colonists to reach the enemy's country, and that there was a difference in the use of savages between leading or inciting against regular troops and turning them loose upon old men, women and children.

The second volume opens with an account of Clark's expedition, in which the author ascribes to Clark the fact that "when the treaty of peace was made at Paris, the boundary of the United States went to the Lakes on the North and to the Mississippi on the West," and closes with a discussion of the meaning of the American Revolution, in which he recognizes and endorses our present policy of expansion. An appendix is made up of the Declaration of Independence, the Treaty of Paris, and Washington's Address on resigning his commission. There is a full index.

JOHN BIGELOW, JR.

*The Constitution of the United States; A Critical Discussion of its Genesis, Development and Interpretation.* By JOHN RANDOLPH TUCKER, LL.D., late Professor of Constitutional and International Law and Equity, Washington and Lee University. Edited by HENRY ST. GEORGE TUCKER, Professor of Constitutional and International Law and Equity, Washington and Lee University. (Chicago: Callaghan and Co. 1899. Two vols., pp. xxviii, 518; v, 519-1015).

THE author of these volumes was born in Virginia in 1823, and died in 1897. He belonged to the generation of the Civil War and to the younger set of men who witnessed an attempt at secession and its failure. During his life he occupied a prominent position as a lawyer and a public man. He was at one time attorney-general of Virginia, for twelve years a representative in Congress and for some years before his death a professor in Washington and Lee University. The manuscript of this work, left unfinished by the author, was edited by his son. The volumes contain fourteen chapters, but may be reasonably divided into three parts. The first is within the domain of political science or political philosophy; the second part is somewhat historical in character, dealing with the origin of the constitutions of England and the United States; the third part is a discussion of the principles of constitutional law.

The work has many faults, some of which, probably the majority, are attributable to the fact that the author seems not to have revised his manuscript and that the editor has not corrected even palpable and obvious errors. If the editor had the right to turn over to the publisher his father's unfinished work, he certainly ought to have had the right to correct conspicuous blunders which it must be presumed the author himself would not have suffered to stand. Perhaps some of the errors are due to inefficient proof-reading and did not appear in the copy at all;

but by this reference to serious and conspicuous blunders I do not have in mind such mistakes as might creep into a carefully edited book, such for example, as citing *Ham v. Louisiana*, instead of *Hans v. Louisiana* (p. 787), or *Wilton v. Missouri*, instead of *Welton v. Missouri* (p. 543), or Brennon's case, instead of Brennan's case (p. 543).

The chapter on the origin of English institutions is so faulty in details, there are so many inaccuracies of statement that, to say the very least, the whole is untrustworthy, although the arrangement and organization of material show considerable skill as well as some grasp of essential principles. A few examples will illustrate the kind of errors that frequently occur. The deposition of Edward II. is said to have occurred in 1330; that of Richard II. in 1400; the accession of Henry VII. in 1486; the battle of Bosworth in 1386. Edward I. is said to have summoned knights to Parliament in 1272. William III. is said to be the last monarch to use the veto. The tenure of judges during good behavior is attributed to an act of 3rd William and Mary. 1636 is given as the date of Hampden's trial for refusal to pay ship-money. In general, there is such a disregard of correct dates that the reader concludes that the chapter was written in the greatest haste and that the writer intended to revise it in detail. In other respects this portion of the work is far from faultless. Its defects seem to be due, in great measure, to the fact that the author has not used the latest and best commentaries in the preparation of his summary view, but has contented himself with repeating old and worn-out notions of English constitutional development. There are no references to Pollock and Maitland's work, or even to the convenient résumé by Medley which so carefully sums up the results of modern research. Reliance on antiquated authorities may account for the repeated references to the act *De Tallagio non Concedendo* which Professor Tucker says was passed in 1306. He seems to have used Hallam somewhat in gathering material for this chapter and there are occasional references to Stubbs's *Charters*; it therefore seems strange that he should not have noticed that Hallam in his *Middle Ages* effectually disposes of the so-called act *De Tallagio non Concedendo* as an original and authentic document and that all of the more modern authorities agree with him in general conclusions. The student of English history must strongly object also to the idea which the writer seems to hold—referring to De Lolme—that the distinction between Saxon commons and Norman barons continued into the sixteenth century: "But we are told that the commons bought the lands of the monasteries exposed for sale—for the Saxon by his thrift had accumulated wealth. The nobles were poor and thus the Saxon commons obtained a foothold upon the land of the realm." It is unnecessary, however, to devote more space to an examination of this chapter. It ought not to have been written at all; or, if written, the very least to be expected was a careful revision by some one before it appeared in print.

Of the 875 pages included in the two volumes, not counting the documents printed in the appendix, about two-thirds are given to constitu-



tional law rather than constitutional history—in other words, to a statement of the present organization of the United States and to the judicial interpretation of the written constitution. In this portion of the work the material is systematically arranged and there is evidence of thorough comprehension of important principles. Here, too, there are indications that the work was not completed. There are numerous errors which ought to have been corrected by the editor, either in the manuscript or in the original. For example, the date of Secretary Belknap's impeachment is given as 1867. The case of *Alabama v. Smith* (p. 545) supports exactly the opposite doctrine from that laid down in the text. The act limiting the tenure of office to four years was passed in 1820, not in 1822. On page 598 the case to which the author intends to refer in order to support his position is not the *Cherokee Nation v. Southern Kansas R. R. Co.*, but *Fort Leavenworth R. R. Co. v. Lowe*.

Some of the errors are not chargeable to poor proof-reading or hasty examination of the manuscript, but to very evident failure on the part of the author to examine the more recent cases. Here, again, it may be charitably presumed that had the author had opportunity to revise his manuscript the greater number of these errors would have been corrected. It seems strange, however, that some of the misstatements of fact should have crept into a work prepared by an able, experienced and practical lawyer. For example, relying on the case of *Elk v. Wilkins*, the statement is made that an Indian separating from his tribe and living among white people does not thereby become a citizen of the United States. The well-known act of 1887 expressly provided that an Indian could thus acquire citizenship. The author also declares that a state tax on all the receipts of a corporation engaged in interstate commerce is not invalid, provided there is no discrimination against interstate traffic. The decisions of the court are so clearly to the contrary, that one wonders how it was possible for the writer to make the assertion even in an unrevised manuscript. The same is true of the statement that the state cannot by contract debar itself from regulating railroad charges. The cases cited to support this proposition are not adequate. The courts have not gone farther than to say that the legislature can regulate charges, and that a mere grant of the right to fix rates does not preclude legislative enactment. But that a legislature cannot by express contract deprive itself of the right of interference is contrary to both reason and precedent.

The author's evident leanings toward states'-rights seems to have influenced his opinion, even when considering the Constitution as it has been interpreted by the courts and as it stands at the present time. Possibly it would be more correct to say that he does not desire to summarize the findings of the courts, but rather to comment freely on the Constitution regardless of authority and precedent. We find however constant and abundant references to decisions and an apparent willingness to rely on authority when it agrees with the author's own conclusions. It is not surprising to find that he disagrees with the Supreme Court in its decision of *In re Neagle*, and has considerable difficulty in seeing the

reason for decisions in *Tennessee v. Davis* and similar cases. But it is strange that he should assume with confidence the position taken on some other subjects, where, to say the very least, he could not be sure that his argument would be regarded as sound. He asserts that the United States government cannot tax interstate commerce, basing his argument on the clause of the Constitution which provides that the citizens of each state shall be entitled to all the privileges and immunities of citizens of the several states. He maintains that authority to regulate interstate commerce does not give the federal government the right to "force into a state contrary to its law, moral or physical disease, or any institution of society which the state may forbid." There is certainly nothing in the federal decisions to bear the author out in his first position; and the Supreme Court has not gone farther than deciding that the local police laws of the states affecting interstate commerce are valid in the absence of congressional legislation; they have never recognized the right of the states to determine what are illegitimate articles of commerce and inimical to public health and safety. The same sort of argument enables the author to disagree with the Supreme Court in its decisions concerning the right of Congress to exclude such material as it sees fit from the mails, and one is very distinctly reminded of Calhoun's famous argument on the incendiary (Abolitionist) publications, in which he maintained that Congress could not declare what should not go through the mails, but must recognize the police laws of the states as to what could be introduced within their limits through the instrumentality of the post-office. In accordance with this argument, if Utah should establish a Mormon Church and declare that any article denouncing Mormonism was destructive of the "order and the peace of society," the post-office must take care not to transmit any anti-Mormon newspapers to Utah. The whole argument is an interesting reminiscence of ante-bellum conditions and of ante-bellum prejudices.

The best portion of the whole work is the one with which the constitutional lawyer of the Northern states and probably also the student of constitutional history will be the least likely to agree. I refer to the historical statement of events leading up to the adoption of the Constitution and the argument in defence of the assertion that the United States is not a body politic but "a multiple of units." The writer has evidently been a close student of Calhoun and of Alexander H. Stephens. In the 145 pages devoted to this subject, he does what can be done to prove his case. It is not too much to say that he cites almost no evidence except that which he wishes to use for his own purposes, that he omits evidence which must be taken into consideration in any fair interpretation of the times. He quotes, for instance, No. XXXIX. of the *Federalist* to show that Madison believed that "In this relation the new constitution will, if established, be a federal and not a national constitution," but he does not quote other portions of the article in which the same writer asserts that the new government is to be national as well as federal. If we do not find fault, however, with the omission of what might tend to in-

validate his argument and to destroy some of the historical proofs upon which he bases his conclusion, it must be said that he has presented as strong a plea as can well be compressed into the allotted space. He seeks by abundance of historical evidence to demonstrate that the states were separate sovereignties when the Constitution was adopted, and that they adopted it as states. The result was the establishment of a *Staatenbund* and not a *Bundesstaat*. In spite of this conclusion he seems to hold that the Constitution is the supreme law of the land and binding upon the states.

In conclusion it may be said that it is a very difficult task to appraise the work in general terms. There are a few serious blunders, there is a tendency to theorize when a clear statement of well established principles is desirable, and there is occasional evidence of a bias which seems to militate against the trustworthiness of some of his conclusions. But withal the matter is forcibly handled, and no small portion is written with exceptional clearness and strength. On the whole, one is left with a feeling of disappointment that the author could not have finished his undertaking, made his final corrections and published the work himself.

ANDREW C. McLAUGHLIN.

*History of the United States from the Compromise of 1850.* By JAMES FORD RHODES. Vol. IV., 1862-1864. (New York and London: Harper and Brothers. 1899. Pp. xiii, 559).

MR. RHODES has now attained that agreeable position in which a new volume of his history is distinctly an "event." The position has its responsibilities; but the present volume offers abundant evidence that the author is quite capable of sustaining them. In guiding us through the central heat of the Civil War he never loses the clearness of head and the calmness of spirit with which he brought us up to the conflagration. At times, it may be, his enthusiasm for his *bahnbrechende* task leads him to attempt too much, and in trying to call our attention to the countless minor plays of light and shadow he diverts us from the larger outlines of the scene. But this tendency, if it exists at all, is venial; it might count for something in a judgment of the work as "mere literature," but can hardly have validity from the standpoint of history.

On the military side the present volume carries the narrative in the East from the siege of Yorktown by McClellan to the siege of Petersburg by Grant, and in the West from Bragg's invasion of Kentucky to Sherman's capture of Atlanta. Mr. Rhodes's handling of the military history will serve as an admirable corrective to certain ideas that have gained a good deal of currency in recent years. Outside of the purely technical works on the war there has been a tendency to lay down summarily that McClellan and Buell were hopelessly incapable, if not absolutely imbecile; that Grant outclassed Lee in Virginia as distinctly as he did the Confederate generals who opposed him in the West; and that

above all it was through a sort of baptism of military genius vouchsafed by Providence to Lincoln himself that the ultimate outcome of the struggle was decided. Mr. Rhodes, while intimating—over modestly, I think—that his judgment as a “layman” is not to be too seriously considered, nevertheless, most conclusively punctures these rather silly notions. He gives McClellan and Buell all the credit that is due them, even suggesting a very high place among commanders for the latter; he brings into very clear relief the disastrous incidents and effects of Grant’s campaign of attrition against Lee; and by a cold-blooded exposition of some of the President’s more preposterous blunders, he leaves it beyond controversy that Mr. Lincoln’s military genius was at least of a distinctly intermittent type.

On the purely civil side, also, the character and ability of President Lincoln are put by this volume in a light far more faithful, if considerably less flattering, than that in which they have been placed by his professional biographers. Mr. Rhodes does not seem to believe that a high appreciation of the shrewdness, sagacity and practical insight of Lincoln necessarily implies the ascription to him of saintliness and infallibility. The halo, which, placed upon his head at his assassination, was left there by a sort of literary convention, is removed, though not irreverently, by Mr. Rhodes. This is well. We waited a century for the “real George Washington,” and perhaps we have not yet achieved the real Benjamin Franklin; but in proportion to the more rapid movement of things in general it is entirely proper that the real Abraham Lincoln should begin to be revealed a generation after his death. Mr. Rhodes allows us to see that Mr. Lincoln was a “practical politician” in a sense which at the present day chills the blood of reformers. He appointed men to civil office with a view, not to the good of the service, but to the securing of delegates to the national convention. That military offices were filled under the influence of like motives, is indisputable, and must be considered in assigning the responsibility for much useless slaughter. The shadier side of Lincoln’s more personal characteristics is also treated frankly by Mr. Rhodes, and in a note on page 518 the nature of the stories which figured so largely in the President’s conversation is denoted by a term which for exactness stands at the widest remove from the periphrastic euphemisms generally employed. Mr. Rhodes further contributes to the accuracy of history by noting some of the contemporary pictures of Lincoln drawn both by his supporters and by his adversaries. In neither is the halo of later days conspicuous.

The exercise by the administration of its war power in the North by the arbitrary arrest and punishment of private citizens, forms the subject of some of the most striking portions of this volume. Upon the policy of the government in this respect Mr. Rhodes visits almost unqualified condemnation. He rightly judges that the tame submission of the North to the abuses of this system was largely due to the general confidence in the personal rectitude of President Lincoln. The “copperhead” is set by Mr. Rhodes in a rather less repulsive light than is customary.

That he was sinned against as well as sinning is distinctly indicated ; and the fact that his grievances against the administration received the sympathy and support of such men as Robert C. Winthrop and Benjamin R. Curtis, is properly presented as evidence that he was not altogether diabolical. For Vollandigham, whom fate and General Burnside raised to the doubtful eminence of copperhead-in-chief, Mr. Rhodes has sympathy but no admiration. The personality of the Ohio politician seems to have been unattractive, and it is by no means impossible that Mr. Lincoln took this fact into account in dealing with the case.

On this whole question of military supersession of the ordinary jurisdiction over civil rights, it is to be said that, regardless of all question of justice or of ultimate expediency, the will of the military commander will always, in fact, prevail in time of civil war. The comparison which Mr. Rhodes makes with the practice in England during the war with France is hardly to the point ; the proceedings of Cromwell would be the parallel case. The dictum of the Supreme Court in the Milligan case is worthy of all the commendation which Mr. Rhodes bestows upon it. But the decision, it is to be noticed, was not rendered till after the close of hostilities, and never would have been rendered in that form during actual conflict ; and the criterion of peace set up by the court, namely, that the courts be open and unobstructed, is practically impossible. Whether the courts are open and unobstructed, is a question of fact, which must be answered by some human authority. Practically the opinion of the military commander will always be conclusive on this point as against that of any judicial organ. In Vollandigham's time it was evidently the opinion of General Burnside and of his military superior the President, that in view of existing conditions the courts were not "unobstructed." To allow to the court itself the final judgment as to when it is open and unobstructed, would be to clothe the judiciary with a distinctly political function.

It would be impossible to call attention in this review to a tithe of the points at which Mr. Rhodes throws valuable light upon the period which he covers. His account of the state and variations of English and other foreign opinion during the critical period of the war is exceedingly well done. The motives of the Emancipation Proclamation, as well as its effects, are also excellently put. On the use of the negroes as soldiers, however, the historian is rather inadequate. Instead of the slight paragraph on Fort Wagner and Col. Shaw, which was really as local a Bostonian incident in 1863 as the commemoration of it was in 1897, the general aspects of negro enlistment might have been profitably considered. Especially would it have been worth Mr. Rhodes's while to give us the pros and cons of the question as to whether the eulogies on the fighting qualities of the blacks and the enthusiasm for their admission to the army had any motive in a shrewd Yankee business estimate of their utility for filling up state quotas without drawing on state citizens.

The last point to which reference can be made is Mr. Rhodes's very interesting theory in explanation of General Grant's mysterious conduct respecting Generals Butler and Smith before Petersburg in the summer of

1864. After putting himself on record as strongly desiring to get rid of Butler and put Smith in his place, Grant suddenly suspended the order, already issued, depriving Butler of command, and at the same time removed Smith. Mr. Rhodes conjectures that it was all due to "some hold" which Butler had secured on Grant, which was employed in so unscrupulous a manner as to overawe the latter.

"Perhaps he joined together, in a Mephistophelian manner, the failure of the campaign, the popular horror at the waste of blood, seemingly to no purpose, and the general's relapse from his rule of total abstinence; perhaps he told Grant that as a Confederate corps under Early was now threatening Washington, to the exasperation of the people of the North, the commander of the Union armies needed a friend who had a powerful control of public sentiment, and that he was not so secure of his position that he could afford to refuse the proffered aid of Butler, which was his for an equivalent" (pp. 495-496).

The interest of this explanation is enhanced by the fact that it might suggest a clue to the unravelling of another mystery later in Grant's career. In connection with the effort of President Johnson to get rid of Secretary Stanton, just before the impeachment, General Grant took a step which thwarted the President's plan. Grant's action was at once declared by Johnson to involve a flat violation of a pledge deliberately given by the general. That such a pledge had been given was asserted in the most explicit terms by five members of the cabinet—men whose word was worthy of absolute confidence. But Grant, on the other hand, met the accusation of bad faith with a simple and unqualified denial that he had ever made the promise in question. The issue of veracity stands complete, and to this day undetermined, with odds of six to one against Grant. At the time of this remarkable controversy Butler was the leader in fact of the Republicans in Congress, soon to become, at the death of Thaddeus Stevens, the leader in name as well. Among the adversaries of President Johnson he was easily the fiercest. In the party at large he was naturally very influential. The availability of Grant as a candidate for the presidency in 1868 was under active discussion. Can it be that Butler played Mephistopheles again, and as in 1864 moulded the will of his victim, though now rather through the promise of a splendid gain than through the threat of a frightful loss? It is to be hoped that when Mr. Rhodes reaches the proper point in his narrative he will throw all possible light on this strange incident.

WM. A. DUNNING.

*The Civil War on the Border.* A Narrative of Military Operations in Missouri, Kansas, Arkansas, and the Indian Territory, during the years 1863-65, based upon Official Reports and Observations of the Author. By WILEY BRITTON, late of the War Department. Vol. II. (New York: G. P. Putnam's Sons. 1899. Pp. xxiii, 546).

AMONG the Missourians who enlisted in Kansas regiments during the



Rebellion, and the number of them was considerable, we find the author of *The Civil War on the Border*. He joined the Sixth Cavalry, and the "Observations" upon which the history is partly based were made during the author's service in this regiment, which lasted from 1861 to 1865. At an early date he began a chronicle of the important events that came under his notice. In 1882 a portion of this diary, the rest of it having been destroyed by some unlucky accident, was printed with the title, *Memoirs of the Rebellion on the Border, 1863*. Subsequently the author had occasion to travel extensively in the region which he calls the Border and he embraced the opportunity to gather from survivors of the Rebellion whatever information they could give in regard to it.

Mr. Britton devotes himself mainly to military operations in the field. One would scarcely know from reading his book that the bitterest feuds were raging meanwhile among the Unionists. In Missouri the "Claybank" faction fought the "Charcoal" faction, and in Kansas Senator Lane gave Governor Robinson and his successor no end of trouble. General Schofield makes it clear in his *Forty-Six Years in the Army* that he had quite as much to fear, while he was in command of the Department of Missouri, from certain professed Unionists as from the avowed Secessionists.

Nothing decisive happened upon the Border during the war. Relatively the military operations there were of a secondary character. Of those which fall within the period covered by Mr. Britton's second volume, the most important were Shelby's foray, the Price raid, the Red River campaign and the Camden expedition which terminated in the disastrous battle of Poison Springs, where "the First Nigger bucked to the Twenty-Ninth Texas"—and bucked with very unsatisfactory results.

Undoubtedly the distinctive features of the struggle on the Border were furnished by the guerillas and bandits. Nowhere else in the country did the peculiar style of warfare which they followed have any such vogue as in the western counties of Missouri, and Mr. Britton naturally devotes considerable space to them.

The guerillas commonly had a loose organization, were often commanded by an officer with a Confederate commission, and operated in bands ranging in number from one to three hundred men. They moved rapidly from point to point, attacked escorts and trains, made an occasional dash into Kansas, and kept the country in a state of constant turmoil and alarm. In 1863, under the lead of the notorious Quantrill they destroyed Lawrence, Kansas—an event which Mr. Britton discusses at length and which may be considered the high-water mark of border savagery during the Civil War.

If the guerillas were bad enough, the bandits surpassed them in genius for evil. Among the latter there seem to have been a good many original desperadoes. At all events the inhumanity of their style of warfare can hardly be exaggerated. With little or no organization, and commonly operating in small squads, they fired from ambush upon Union scouts and

couriers as well as upon private citizens whose politics they did not approve. They supplemented robberies and spoliations with abductions, tortures and murders. These outlaws, who set at naught all the ordinary laws of warfare, were hunted down like wild beasts, and, if caught, dispatched without mercy. It is said that the prowess and heroism exhibited in penetrating into their hiding-places in Western Missouri rivalled the adventures of Diomedes and Ulysses, "in entering the Trojan camp by night and slaughtering Rhesus and his companions." Yet our author is not insensible to the presence of pathetic elements in this pitiless business. Stumbling upon the dead body of a bandit near camp one day he pauses in his *Memoirs* to moralize on the gruesome incident. "I have no inclination to make a funeral oration over him, yet I will venture to remark that there is a sad thought connected with his lonely and obscure grave, for he has fallen in a cause that can never receive the sympathy of men fighting for justice and equal rights."

Mr. Britton has written a relatively dispassionate and judicial book. This is all the more surprising when we remember that he was an avowed abolitionist, a Kansas cavalryman, and that his parents, who remained in Missouri, suffered heavily at the hands of the Confederates. "I hope that I have not given in a single case," he says in his *Memoirs*, "an extravagant and sentimental account. . . . I am perfectly aware that a work filled with highly-colored statements is more greedily read . . . than one containing plain solid facts; yet I do not regret the course I have followed." While Mr. Britton may not have any signal felicities of style; while he may sometimes fail in matters of perspective and in the estimate of relative historical values, yet three cardinal excellences appear everywhere in his narrative—clearness, directness and sincerity.

LEVERETT W. SPRING.

*The Santiago Campaign*, 1898. By Major-General JOSEPH WHEELER, Commanding Fourth Corps, U. S. A., late Commander of Cavalry Division in Santiago Campaign. (Philadelphia: Drexel Biddle. 1899. Pp. xvii, 369.)

*The War with Spain*. By HENRY CABOT LODGE. (New York: Harper and Brothers. 1899. Pp. 276.)

*Reminiscences of the Santiago Campaign*. By JOHN BIGELOW, Jr., Captain 10th U. S. Cavalry. (New York: Harper and Brothers. 1899. Pp. vii, 188.)

*The Rough Riders*. By THEODORE ROOSEVELT, Colonel of the First U. S. Volunteer Cavalry. (New York: Charles Scribner's Sons. 1899. Pp. xi, 298.)

A GENIAL figure on the American stage is Major-General Joseph Wheeler. Ever youthful, ever vigorous, his simple manliness stands forth from these pages as it did from his activity at Santiago. After graduating at West Point in 1859 and serving two years, he joined the

Confederate forces and his record as a bold fighter and tireless marcher was unsurpassed. Frankly accepting the decision of arms, he has since shown that the honest rebel soldier may belong to the highest type of American. Wheeler's volume, unlike those of Lodge and Roosevelt, is not that of an expert book-maker. Including as it does some pages of a diary, a number of personal letters, and reports and orders galore, it rather suggests the soldier's note-book. The general himself appears in but a third of it. While the padding is interesting as a record, we could have wished for a fuller representation of the ingenuous soldier. That part which is General Wheeler's was written at Montauk Point in August, 1898, and is full of the freshness of the recent operations.

General Wheeler has no special point to make, his pages are purely narrative. All personal experiences are of a value graded by the witness. General Wheeler was a noteworthy part of the Santiago Campaign, and though he tells its story with the modesty bred of the usage of war, yet, appreciating the breadth of his command at the front, his statements lack not force. That he was sick to the extent of incapacity, he indignantly denies: "I was not off duty for a single moment during the campaign." Of General Shafter he says that "the great success of the expedition, (resulting in the capture of 24,000 prisoners by an army of about two-thirds of that strength) is a full answer to the criticisms that were made by some of the papers." He dwells upon his own insistence on not retiring from the extreme point gained, on July 1, by our gallant troops, only so much as truth seems to him to demand; and of his fellow generals he speaks as their brilliant conduct warrants. He gives a helpful sketch of the Spanish officers, and in the account of the surrender Toral is complimented for his struggle to avoid humiliation in word or act.

Gauging at its highest the devotion of the volunteers in going to and their gallantry and value on the field, yet General Wheeler casts his vote for the regular; and in characterizing him as more reliable, he is merely stating a world-old fact. Our Civil War volunteers really became regulars when enlisted for three years, for their education in serious campaigns and battles speedily gave them route and fire discipline; but the short-term volunteer always has had and always must have his limitations.

General Wheeler speaks with authority about Montauk Point, which was of necessity ill organized. To bring 20,000 men from a fever-stricken country and disperse them broadcast among the population could not be thought of; the returning men had to be quarantined somewhere; and while to the yellow journals with big editions to market, or to the peaceful citizen who knows not war, Montauk Point was a place of terror, statistics show that the suffering was hardly as great and that the mortality was much less, than ordinarily occurs under parallel conditions.

The general's farewell letters to his regiments make a cheerful page; and the lists of officers killed and wounded, with the tables of casualties by regiment, appeal to the individual.

It is a pity, however, to introduce a statement like the note on page 227. Santiago was not a great battle, and its comparison to Waterloo

even by innuendo, tells against the good work really done there. Moreover the loss of Wellington's army approached a third of his effective, and was not, as the note would lead the unwary to infer, only ten per cent.

The typography, paper and large scale maps are excellent.

In his preface, Senator Lodge strikes the keynote of the handsome volume before us, which, in illustration and general get-up, is perhaps the most attractive we have so far reviewed. "In the broadest and truest sense of the word," says the distinguished author, "the history of this war cannot be written for many years;" but to "tell 'How it strikes a contemporary' it is not too soon." Penned during a heated session of Congress and actual hostilities, by a participant in the political turmoil, the volume savors rather of the forensic than the judicial. All men appreciate the difference between Latin and Teuton, and we regret the difficulty the Spaniard has had in recognizing the onward movement of the nations and the duties of the hour. But were the author of *Hamilton* and *Webster* to rewrite *The War with Spain* twenty years hence, he would less baldly accuse our late enemies of mendacity, duplicity and "the silly passion Spaniards call pride," or at least with a penstroke or two would replace such an ugly adjective as "lying" by an euphemism more worthy of Clio. This, however, in a war-book originally written in magazine articles is pardonable. Moreover the author thrusts home in more than one direction, as where he refers to the peace advocates as "some men who had once been eminent in politics, and some who felt they ought to be;" and is wont to show the vigor of his character in his unequivocal attitude toward all men.

Advancing into the volume, we find much that satisfies. The political causes, remote and proximate, leading up to the Spanish War are clearly indicated, as well as the seething of the opinions of war men and anti-war men, imperialists and anti-imperialists, in and out of Congress. Described by one who was a part of it all, the details lack nothing in pointedness, nor do they ever weary. Most war literature comes from the camp; here we have a book by one who has never borne arms, who viewed the campaign from the floor of the Senate, but who is in the prime of manhood, and might have made a typical soldier had he not, before the opportunity offered, become a successful statesman. This yields us much that is fresh, much that might otherwise be forgotten, and much that differs from the soldier's or sailor's narrative.

The author points out how a generation's parsimony in Congress came near to crippling even our American ingenuity; how the machinery of war, rusty by its neglect, bred faulty, slow organization; how, for example, this machinery despatched Sampson's fleet to sea with seven-knot monitors; how it sent our troops into action without powder to match even poverty-stricken Spain, together with other untoward results; and, as a consequence, how successively occurring facts, and not a homogeneous theory of operations, finally prescribed our plan of campaign. His castigation of the body of which he is an active member for its sins of omission in these particulars is noteworthy.

Senator Lodge dwells on the fact that the Americans were on the larger scale invariably the attacking party; that the initiative of our officers and men was representative of that spirit which subdued the wilderness and the savage; that the unquestioned bravery of the Spaniards was rather a negative quality; and he is a manifest believer in "the decadence of the Latin race" and in the "superiority of the Anglo-Saxons." The description of the fights at Las Guasimas, and of those at El Caney and Santiago is one of the best we have, and original as being from the pen of a looker-on. He praises the regular, whose fights the latter were, and is evidently a friend of the army, who can in the future be relied on to do the progressive thing. There is a pregnant comparison of Manila and Aboukir, an admiring chapter or two on the Porto Rico campaigns. A general air of cheerful and self-confident Americanism pervades the book.

The Dewey chapters, on his diplomatic as well as military work, though a threadbare topic, are excellently done. They cover the ground, and a vein of humor running through them, while not exactly historical, brightens the successive pages. The work is comprehensive, and in it the entirety of our late war, political and military, is for popular reading perhaps given at its best.

Abundant appendices contain the proclamations, protocol and treaty of peace, and sundry similar documents.

To a veteran, Captain Bigelow's small volume is the most entertaining of all the books published since the close of the war. Pretending to write nothing more than personal reminiscences, the author has such a genuine way of taking the reader into his confidence, that what he tells of his immediate surroundings in the 10th Cavalry, from the standpoint of a West Pointer of twenty-five years' service, with an experience of foreign armies and much study of the theory of war, is full of meat. No work reminds the company officer who has campaigned under difficulties so keenly of his toils and hardships, of his enjoyment of the manly life, of his suffering from wounds, of the manner in which everything goes as it should not go, so well as Captain Bigelow's. From the first even a stranger knows him; a friend knows him better. His familiarity with camp routine shows the trained soldier; he tells of requisitions overlooked, of equipments not to be got, of issues at odds and evens, of orders and regulations impossible of execution, of scanty or no rations, of lack of care for the wounded, in a way which proves us to be an un-military people; and he gives instances of manly heroism and gentleness, and of our intelligent fashion of handling difficulties, which show that we are essentially a warlike race.

Had this not been Bigelow's first campaign, he would have remembered that war is but a game of errors, big and little, and that organization only lessens and cannot eradicate the petty blundering which always galls the soldier. Not that he complains; essentially philosophical, he cheerfully dispenses with food when hungry and with medical attendance when shot down. He works with what tools he has, and works well, and

in his concluding chapter he gives means for bettering our military status in a way which goes to the point without theorizing.

The captain pays a fine tribute to his colored troopers, who fall little short of being typical soldiers; he tells us of the seeming lack of plan at Santiago; of the absence of written orders; of his dodging his first bullets; of his charging up the hill without orders, but relying on the initiative an officer must often assume; of the "broad swarm" which made up the line of battle; of the patient courage of the wounded men about him—which no one knows who has not seen them stricken down; and of innumerable details which make up the picture a line officer sees on the march and in battle. Altogether the 188 pages are full of interest. Except one impatient reference to the commander of the Rough Riders, not a word could well be changed.

"On behalf of the Rough Riders I dedicate this book to the officers and men of the five regular regiments which together with mine made up the cavalry division at Santiago," is Col. Roosevelt's graceful tribute to his fellow-soldiers. Second in command of perhaps the oddest organization and one of the most intelligent regiments which ever went into action—a body where the cowboy fresh from the round-up and the undergraduate fresh from his classics or his football rode side by side; where he who would empty his revolver over a misdeal at poker bunked and messed, or starved and shivered, with him whose New England estimate of human life was overwrought; where the Pawnee Indian rubbed elbows with the Harvard or Yale ninety per cent. man; where contrasts ran riot, and yet where one purpose kept every man true to his discipline and his work—second in command of this regiment, Colonel Roosevelt received his first impressions of service, and his baptism of fire. He might have had the colonelcy, but he wisely chose to serve under a man who is every inch a soldier, who has won the Medal of Honor, who can stand fatigue like an Apache, and who possessed the experience Roosevelt lacked. Leonard Wood was soon promoted and left the "Rough Riders" to Roosevelt; and with it he left a heritage of soldierly instincts, and an amusing disregard of red tape.

It is lucky, on the whole, that the best men at the front have given us personal experiences, and not striven to write history. Such a book as this is far more helpful. Its chief charm lies in the series of miniatures or silhouettes of the men of whom we heard so much in June, 1898. As Roosevelt frankly admits, the Rough Riders did, could do, no more than the regulars at their side, in some ways not as much; yet those were talked of while these were passed over in silence. This is the usual working of the public mind. A non-commissioned officer of volunteers gallantly falls in the first fight, and his social standing keeps his name in the public press, while the regular sergeant who drops in his tracks ten rods away is only noted on the muster-rolls. Similarly a plucky commodore dares a presumably mined channel and destroys the enemy's fleet—and verily he hath his reward in the plaudits of the people; while other



sailors, whose opportunity came not quite so soon, have but a scant meed of praise. War honors are always such—naturally and properly.

In a simple but telling manner the colonel describes how Wood and he, by dint of push, got equipments where others failed; how out of a plethora of recruits only those who could ride and shoot were chosen; how in camp at San Antonio the cowboy, the mining prospector and the hunter vied with the swell or the student as to who could best learn his duty; how a kindly but serious discipline was accepted by all alike; how every man strove to fit himself to do and dare when the hour of battle should come; how the troops were sent hap-hazard to Tampa; and how it was only by stealing a march on the other regiments that the Rough Riders actually got on a transport for Cuba, and finally landed in the "scramble" at Daiquiri.

Altogether it was a strange organization. An abnormally quiet and gentle man was dubbed Hell Roarer; a fastidious club man, Tough Ike; his rough-and-tumble cowpuncher bunkie, the Dude; a fighting Israelite, Pork Chop; everyone of note had his antithetical cognomen. That all worked kindly together was due to Wood, Roosevelt and those whom they selected as officers, men who "not only did their duty, but were always on the watch to find out some new duty." As Roosevelt says: "in less than sixty days the regiment had been organized, armed, equipped, drilled, mounted, dismounted, kept for a fortnight on transports, and put through two victorious aggressive fights in a very difficult country, the loss in killed and wounded amounting to a quarter of those engaged." Truly a noteworthy record for the early days of a volunteer organization, and in every rank a credit to American character!

This volume is just what its title indicates—"The Rough Riders." "It is astonishing what a limited area of vision and expression one has in the hurly-burly of battle," says the colonel, and though he describes nothing more than what he saw, his story of the "squad-leaders' fights" of his regiment gives one the realistic side which no history affords. When rations are wanting, or bad, the colonel tells us the fact, but goes not out of his way to denounce Alger; when the officers have to attack without orders, we learn how they did it, but without a covert dig at Shafter. Books like this and Bigelow's are refreshing reading after the epidemic of press criticism. We learn much truth from the books; much error from the news columns.

The anecdotes about the men and the regimental mascots equal in interest the narrative of the fights by the regiment at whose head Colonel Roosevelt rode up San Juan Hill to victory—and Albany. The Round Robin incident is treated without the heat of the moment. On the whole, between the lines, there is wisdom for the legislator who should prepare the nation for our next war. While the proposition with which the volume sets out, that the Rough Riders were a wonderful volunteer organization, is demonstrated, the book also helps to prove that there was no more than the usual suffering in Cuba or at Montauk. Colonel

Roosevelt came home "disgracefully well," though he was thrice grazed by missiles.

The paper of the book is heavy and the type large. Abundant phototypes put one in close touch with the men and officers. The get-up of the volume leaves nothing to be desired.

As with any positive man, one may easily find himself disagreeing with Colonel Roosevelt, but it would be hard to resist the frank, infectious and sportsmanlike way of putting things from the beginning to the end of this book. The last words furnish its *motif*: "Is there any wonder that I love my regiment?"

THEODORE AYRAULT DODGE.

*Studies in the Constitutional History of Tennessee.* By JOSHUA W. CALDWELL. (Cincinnati: The Robert Clarke Company. 1899. Pp. xiv, 183.)

THE constitutional history of Tennessee is in some respects unique. Few, if any, of our states have had in their early history so many vicissitudes of government. Within the quarter of a century from the coming of the first settlers to the admission of the state into the Union there existed as many as six different governments; and four of them—"The Watauga Association," "Cumberland," "Franklin" and the so-called "French Broad Association"—were wholly independent of external authority. More striking still is the character of some of these primitive constitutions, based upon immediate needs, and struck off boldly without precedent. It is the story of this constitution-making and self-government that Mr. Caldwell, in the earlier chapters of his book, relates. He does not give the history for the first time, but he is the first to single out matters constitutional. He does not aim to be exhaustive, nor does he pretend to a minute investigation of the sources, but gives us a series of studies of the more important features of his subject—a running commentary (shall we say?) on the texts of the authorities. The analysis is not at all points rigid, but both the analysis and the interpretation are mainly original; and the author makes clear at every step what ideas he appropriates and what are his own. The work is conceived in a spirit of fairness and executed with candor. There is a breadth of view in the treatment which, upon the whole, saves from mistakes of proportion. Here is no glorification of the pioneers, but a conscientious and judicious effort to find the truth and to express it.

After discussing the "Franklin" movement the author expresses very decidedly his opinion that among the people of the South-West the idea of "separatism," at least in the form of an alliance with Spain, never had any hold. His conviction is based, apparently, upon a knowledge of the people. There is really little evidence on the one side or the other, but the weight of what there is seems to be on the side of this conclusion.

The constitutions of the state—there have been three, with amendments—are taken up in succession, their histories given, their provisions

analyzed and criticized. The constitution of 1796, though extolled by Jefferson as "the least imperfect and most republican" of the state constitutions, Mr. Caldwell regards as far from democratic, though he takes issue sharply with Phelan, who asserts that it was "unrepublican and unjust in the highest degree." Its chief defect was its reservation of too much power to the legislature. "The constitution of 1834," he says, "is the only constitution that the people of Tennessee ever have made. It is the only one of the three state constitutions that was the product of conditions existing in the state at the time when it was enacted." The author recognizes, though he does not, I believe, sufficiently emphasize, the force of the wave of democratic sentiment that swept over the country in the years about 1830—a wave that in some form or other went over the civilized world. The difference between the constitution of 1796 and that of 1834 was as much the result of this wave as of the changed conditions in Tennessee.

The constitution of 1870 had for its real, though not ostensible, purpose the enfranchisement of the disfranchised, and was thought even by its framers to be only temporary. Despite the fact that it is unsuited to the present needs of the state, the state continues to endeavor to live, move, and have its being under it. It is, I believe, an open secret that these studies were first published with a view to creating or deepening an impression in favor of a new constitution, and Mr. Caldwell pleads earnestly and forcibly for his cause. There is one point on this line that deserves especial mention: "Local self-government," says our author, "has always been the favorite phrase and theory of the South, but . . . the South has less of local self-government than any other section of our country, and there is no Southern state that has less of it than Tennessee." There are several portraits in the book, also lists of the members of all the conventions.

EDMUND C. BURNETT.

*The Fee System of the United States.* By THOMAS K. URDAHL, Ph.D.  
(Madison, Wisconsin. 1898. Pp. xii, 193).

This monograph, prepared by the writer as a doctoral dissertation at the University of Wisconsin, is an excellent presentation of the American fee system in its historical development from early colonial times, with a thorough examination of the present situation. It is written chiefly from the standpoints of finance and administration, with occasional attempts, however, to relate the changes taking place in the fee system to changes in political and economic conditions. It is altogether a satisfactory and enlightening treatment of a somewhat dry and technical subject.

A preliminary chapter discusses questions of definition, classification, and principle. The author argues for the recognition of fees as a category of public revenue distinct from taxes, on grounds that have commended themselves to the best modern students. The existence of

individual benefit is the criterion of the fee, the reverse being true of the tax. Value of service rather than cost of service is claimed to be the true measure of benefit, Dr. Urdahl not sharing the opinion of Wagner and others that, whenever a payment exceeds the cost of a service undertaken by government, it ceases to be a fee and becomes a tax. He points out that a large class of fees is merely payment for privilege, *e. g.*, license fees, where the expense of service is merely trifling.

A second set of preliminary chapters gives an instructive survey of the fee system of England and Europe from medieval times. This opens the way to the study of the American system. This study is exhaustive and minute, and cannot easily be summarized in a brief review. The fee was the most important part of the colonial financial system, inasmuch as most offices were self-supporting. This was in harmony with the then-accepted "social contract" theory and the actual social conditions. "Service and counter-service was the theory on which the entire method of remunerating public officials was based" (p. 121). The special characteristic of the period, 1787 to 1830, was the great mass and diversity of fees imposed by the states for regulation. There was no uniformity of system within the states or between them. It was an era of special legislation. The main characteristics of the next period, 1830 to 1865, were the growth in the volume and importance of incorporation fees, and the increased use of fees in local finance. Taking these two periods together and adding the following years to the present time, the chief tendency to be noticed and explained is the passage from the primitive fee-system of colonial days to the modern salary system. "The forces which make this change necessary and desirable, lie in the economic conditions of a rapidly growing and progressive community" (p. 148). This evolution is interestingly traced in state and federal statutes, and is also shown to be reflected in the changes in state constitutions.

The concluding chapter of the monograph is concerned with an examination of the fee-system as a social force. The author shows clearly how our ill-conceived fee-system is frequently responsible for the miscarriage of justice and maladministration and corruption in other departments of government. Suggestive applications are made to the divorce problem, tramp question, etc. The chapter is heartily to be commended to social and political reformers, and the whole monograph should be remembered as a worthy addition to our historical literature of administration and finance.

A. C. MILLER.

*The Annual Report of the American Historical Association for the Year 1898* (Washington, Government Printing Office) is a volume of 745 pages. A large part of it, perhaps 200 pages, is occupied with the report of the proceedings at the New Haven meeting, and with papers read upon that occasion. Of those proceedings, an account has already been given in this REVIEW, (IV. 409-422), and some of the papers read were summarized in that article. The inaugural address by Professor

Fisher, President of the Association, on "The Function of the Historian as a Judge of Historic Persons," Doctor Friedenwald's description of the historical manuscripts in the library of Congress, the discourses of Professors Andrews and Osgood on American colonial history, President Frank Strong's paper on "A Forgotten Danger to the New England Colonies," and that of Judge Simeon Baldwin on "The Constitutional Questions Incident to the Acquisition and Government by the United States of Island Territories" are contributions which one is glad to have the opportunity to examine in print and at leisure, and which are exceptionally worthy of permanent preservation. Besides these papers, there were several which were merely "read by title" at the New Haven meeting, but are now presented at considerable length in print. Mr. W. F. Prince, with much industry and some acuteness, but in a distressingly sprightly style, conducts an "Examination of Peter's Blue Laws," of which he finds much the greater number to have had an actual existence. But it is to be said that among those which never existed are a large proportion of those which have seemed most ridiculous and have been most often quoted; also that Mr. Prince apparently thinks Peters to be not ill vindicated if one proves that the laws which he cited had existence and validity in some one of the New England colonies, whereas Peters statement is definite, to the effect that these were the laws of New Haven. Mr. Albert C. Bates, secretary of the Connecticut Historical Society, contributes a scholarly paper on the Connecticut Gore Land Company. Mr. George B. Landis relates the history of the Society of Separatists of Zoar, Ohio. Dr. J. C. Ballagh, of Johns Hopkins University, presents a thoughtful and valuable paper upon those aspects of southern economic history which are connected with the subjects of the tariff and of public lands. Miss Mary R. W. Stubbett, under the title of "The Cambridge School of History" groups two papers, one on the new historical trips at Cambridge, the other on the question of public hostels. The latter has nothing to do with history. The former contains information, valuable, fresh and interesting, but so imbedded in contorted verbiage that it is not more easy to read than so many pages of Browning. The volume concludes with the report of the Committee of Seven on the Study of History in Schools, which has been printed as a separate volume, and is reviewed at an earlier page of the present issue; and with the Third Annual Report of the Historical Manuscripts Commission. The latter consists chiefly of three appendixes. The first contains twenty-eight pages of items respecting historical manuscripts which have come to the knowledge of the members of the Commission by means of the circulars which they have sent out, or in other ways. The second is a calendar of the letters of John C. Calhoun, heretofore printed—a list which appears extensive, but which, if deduction be made of the official letters of Calhoun as Secretary of War, printed in the folio *American State Papers*, shows that in reality very few of his personal letters have ever seen the light, and thus displays abundantly the need of that edition of his correspondence which the Commission expects to present in its

Fourth Report. The third of these appendixes, extending to one hundred pages, presents a guide to the items relating to American history in the eighty volumes of the reports of the English Historical Manuscripts Commission. This list opens up to the use of students of American history a vast mass of material hitherto almost impossible to use. The plan of arrangement separates the entries found into two classes, those which relate to several colonies or to the history of all the colonies in general, and those which relate distinctively to one colony. Under these heads the items are arranged in chronological order. An alphabetical index of the names of persons is appended.

*Syria and Egypt from the Tell el Amarna Letters.* By W. M. Flinders Petrie. (Scribners, 1898, pp. 187.) No discovery of modern times has contributed more to our knowledge of ancient life and history than the remarkable series of official documents rescued from the ruins of the capital of Amenhotep IV. and known as the Tell el Amarna tablets. Unfortunately no thoroughly satisfactory translation of them into English has yet been made.

Professor Petrie, availing himself of the excellent German translation of Winckler, has performed a valuable service in classifying the letters which were interchanged between the Egyptian kings Amenhotep III. and Amenhotep IV. and their governors and vassal princes in Syria, and in giving brief epitomes of the important facts contained in each. To these he has added brief introductions dealing with critical questions of history, chronology and geography. The summaries and introduction are very useful, but they do not of course supply the place of a translation.

The original contribution of the book consists of the identification of many places mentioned in the inscriptions. In this field Dr. Petrie is most at home. All references to a given town are carefully collated and the usual mutations between the transcription of cuneiform and the modern Arabic forms considered. The descriptive nature of many of the names also furnishes valuable suggestions. Of the one hundred and fifty places referred to in the letters about one hundred can be located with more or less certainty. The work of identification, however, has not yet by any means been pushed to its furthest limits.

Although well provided with indexes, the value of the book for general students, for whom it is primarily adapted, is greatly impaired by the lack of a map indicating the identifications and enabling the reader to trace the geographical background of the events recorded.

C. F. K.

In the third *Abteilung* of Vol. VIII. of his *Könige der Germanen* (Leipzig, Breitkopf und Härtel, pp. 296) Dr. Felix Dahn begins his consideration of the Frankish constitution under the Carolingians proper, treating in full detail, however, only those points in which changes occur in the institutions of Merovingian times. Three subjects are dealt with: the royal legislation, the public offices and the military system. The most important and interesting sections are those devoted to the *Graf*,



to the *missi*, to the chancery, and to Charlemagne's attempts to lessen the burden of military service. Dahn bestows the highest praise on the institution of the *missi*, but, true to his conception of Charlemagne's character already referred to, he refuses to see in it an evidence of his genius, but only of the goodness of his heart, his desire for his people's welfare, and his determination to fulfill his religious duties.

*Magna Charta and Other Great Charters of England, with an historical treatise and copious explanatory notes* (Philadelphia, William J. Campbell, 1900) is the promising title of a work by Boyd C. Barrington, Esq., LL.B., of the Philadelphia Bar. The book contains a preface, an historical review of the "causes culminating in the granting of the Great Charter," a collection of seventeen charters translated, from the laws of Edward the Confessor to the confirmations of Edward I. and the clergy, explanatory notes to Magna Charta, and an index. Mr. Barrington, believing that "to the average reader the facts relating to the Magna Charta, as well as the Magna Charta itself, are like a sealed book, absolutely unknown," endeavors to supply the lacking information. No more worthless book was ever published. The historical treatise reads like a sophomoric essay and is full of inaccuracies, ridiculous statements, and bad grammar, while the notes to Magna Charta are simply antiquarian rubbish. The work is a veritable historical curiosity, containing, one may almost say, the imprint of the twentieth century on its title-page (1900 instead of 1899) and the historical ideas and scholarship of the eighteenth in its text. Where has Mr. Barrington buried himself for the past quarter of a century, that for him Stubbs, Freeman, Norgate, Bigelow, Brunner, Liebermann, Bémont, Round, Pollock, and Maitland, not to mention Digby, Taswell-Langmead, and Medley, have done their work in vain?

A footnote to the preface of *Paysans et Ouvriers depuis Sept Cents Ans*, by the Vicomte G. d'Avenel (Paris, Armand Colin, pp. xvi, 391) informs us that it is an "abrégé" of Volumes III. and IV. of his monumental *Histoire Économique*. The ordinary reader and the ordinary librarian would probably not gather from this information that in reality it is a verbatim reprint of the whole of the text of that portion of the Vicomte d'Avenel's work, without either the references to authorities or the statistical tables which accompany it in its original form. The *Histoire Économique* is so extensive an undertaking, and so characteristic an example both of the strength and of the weakness of the older school of French political economists, that it calls for careful examination; and we hope at no distant date to place before our readers something like a detailed examination of its contents. Until then it will be well to postpone any review of the conclusions, which are here reproduced without any of the evidence supposed to support them. It may be sufficient for the present to warn the reader into whose hands *Paysans et Ouvriers* may chance to fall, that the evidence is open to a good deal of criticism, and that it is exceedingly inadequate on many of the topics concerning which

M. d'Avenel is most positive. For instance, M. d'Avenel is of opinion that the craft-gilds of the Middle Ages exercised absolutely no influence on the rate of wages (p. 85), and he even puts this to the front in his preface as one of the main results of his investigations (p. x). But the lists of wages given in Vol. III. of the *Histoire* contain, under the head "Tailleurs, Tisserands et Ouvriers du Vêtement," (and how important these trades were we need not stop to explain), not one single entry before 1364, and only sixteen between 1364 and 1498. These sixteen belong to four or five different crafts, in eight different places, and range all the way from ten centimes to 4 fr. 43 per day. Figures like these are evidently incapable of supporting any general conclusion. Or take some other examples. For so important a craft as that of the *cordonniers* we are furnished with but two figures before 1500, and these are for 1380 and 1498; for butchers also with two figures, for 1358 and 1384. Of the last two one comes from Orléans and is given as 18 centimes, and the other from Hainault and is given as 83 centimes. These instances will perhaps suffice. They will at any rate prevent the reader of the present volume from supposing that the Vicomte d'Avenel when he speaks most positively is always drawing from an inexhaustible storehouse of information.

There are many published lives of Prince Henry the Navigator, all of them about equally unsatisfactory to the reader of biographies. The reason for this has at last been made plain—for the first time to readers not familiar with the sources of Portuguese history—through the appearance of an English version of Azurara's *Chronicle of the Discovery and Conquest of Guinea*, edited by Mr. C. Raymond Beazley, who had translated it with the assistance of his Oxford colleague, Mr. Edgar Prestage. An examination of Mr. Beazley's introduction and of his notes to the text shows very clearly how completely the biographers of Prince Henry have been compelled to rely upon the data and the point of view of this contemporary official chronicler. A few scattered letters, of little more than personal interest, the usual array of baptismal and burial records, of land and titular grants, and other flotsam and jetsam familiar to every one who has waded into the sea of historical "sources of information," comprise nearly all that the efforts of successive students of the *Chronicle*, among whom Mr. Beazley ranks as one of the most earnest, have succeeded in bringing to light to illuminate and check the statements made by Azurara in regard to his hero. Luckily, this evidence is apparently sufficient to show that Gomes Eannes de Azurara was an intelligent and fair-minded observer and recorder, and his narrative, so far as the absence of conflicting data permits a judgment, gives a very fair and comprehensive account of the events which brought the western coast of Northern Africa within the range of the well-known.

G. P. W.

Many teachers of Modern European history find themselves unable to rely with satisfaction upon a single text-book, or even upon a group

of manuals. They will find themselves signally aided by the excellent *Syllabus of a Course of Eighty-Seven Lectures on Modern European History* (1600-1890) by Professor H. Morse Stephens, of Cornell University (Macmillan Co., pp. xviii, 319). The volume is a revised and enlarged edition of a syllabus used at Cornell University during the last five years, but now for the first time published in book form. The syllabus contains skeletons of lectures on eighty-seven successive topics within the field, presenting the facts in a compact summary, with the dates and the proper names to be mentioned. Each such skeleton is followed by a bibliography of considerable extent, embracing both primary and secondary authorities and books, written in either English, French or German. A brief general bibliography is given at the beginning of the book, while appendixes at the end contain lists of the monarchs and chief ministers of the European powers during the period covered, together with a few genealogical tables.

A syllabus cannot be reviewed in the same manner as other books, and indeed can hardly be justly estimated until one has tried it in actual use with classes. Beforehand, this seems excellent. The bibliographies, exceptionally fresh and modern, will be particularly valued. The fault which the present reviewer conceives to be the chief one is of a sort which it surprises one to find in a book by Professor Morse Stephens; namely, its neglect of the French Revolution. That revolution, from the meeting of the States General to the Ninth Thermidor, is disposed of in two lectures out of the eighty-seven, a space not greater than that given to the contemporary revolutions of Belgium and Poland. The reason is that Professor Morse Stephens gives special advanced courses on the period of the French Revolution at Cornell University. This however is not a sufficient reason for such brevity when the book is placed upon the general market and offered to the use of teachers who are conducting general courses in modern European history, preserving the customary proportions. Something the same may be said of the Napoleonic period.

*Die Politik des Protector Oliver Cromwell in der Auffassung und Thätigkeit seines Ministers des Staatssecretärs John Thurloe*, von Dr. Sigismund Freiherrn von Bischoffshausen. Im Anhang, die Briefe John Thurloes an Bulstrode Whitelock und sein Bericht über die Cromwell'sche Politik für Edward Hyde. (Innsbruck, Wagner, pp. xv, 224.) This is a concise history of the two Protectorates, based chiefly upon Thurloe's correspondence and utterances, and told in such a manner as to make Thurloe the leading figure in the narrative. The selection of material and manner of presentation are abnormal, and can only be justified, if at all, with reference to the author's purpose, which is to make clear Thurloe's part in the internal and external affairs of the Protectorate. This is necessary, he thinks, to a proper understanding of Cromwell's career and character. He is of the opinion that Thurloe's influence extended beyond the comparatively minor matters of administration and

the conduct of negotiations, to broader questions of state policy. If this were true, this plan of presentation might be a suitable one. But he is unable to show that Thurloe played so important a rôle. He admits as much with regard to foreign affairs, though one would expect Thurloe's influence to appear here if anywhere, and in the absence of evidence to support this view, one may be pardoned for questioning whether Thurloe, with all his intelligence and tact, was just the sort of man to exercise a decisive influence over so masterful and domineering a character as Cromwell.

This undue prominence given to Thurloe and to his correspondence distorts the perspective of the book and leads to an occasional neglect of other important sources of information. It seems a little odd, to mention a minor point, that a book written in German should fail to mention Cromwell's attempt to secure a foothold in northern Germany, while similar efforts of his in Flanders are given due prominence. It is true the attempt to secure Bremen finds scarcely an echo in Thurloe's writings, while the acquisition of the Flemish cities is given great prominence there; but a modern writer should hardly follow the same plan. As an instance of omission, Nieupoort's dispatches may be mentioned, which throw much light upon Cromwell's foreign policy, and also upon Thurloe's management of negotiations. Yet, notwithstanding these defects, the book offers a sketch of the period which is by no means unacceptable. It is the fruit of much conscientious labor, and is so crowded with facts as to make heavy reading.

The last eighty-four pages are devoted to documents, for the most part hitherto unpublished. Twenty-three letters of Thurloe to White-lock in Sweden cover the period from December 2, 1653, to May 16, 1654. Three versions of Thurloe's very important account of foreign affairs under the Protectorate, furnished by him to the ministry of the Restoration, are arranged in parallel columns for purposes of comparison, and an attempt is made to determine their relations to each other. This had never been done before, and the material was difficult of access. The frontispiece is an interesting reproduction of Dobson's portrait of Thurloe in the National Portrait Gallery.

GUERNSEY JONES.

*History of the Russian Fleet during the Reign of Peter the Great.* By a Contemporary Englishman (1724). Edited by Vice-Admiral Cyprian A. G. Bridge, K.C.B. (London, The Navy Records Society, pp. xxiv, 161). This work is not so comprehensive as its title suggests, for, although it gives some account of Peter's earliest attempts to create a naval force in the Sea of Azov and the Black Sea, it is almost wholly a history of the Baltic fleet, written up quite in log-book fashion. The editor conjectures that it was intended for publication upon the author's return to England. In some manner it found its way back to Russia, where it was translated and published two years ago by Count Poutiatine.

The author is so careful to avoid all reference to himself that it is

impossible to say more of him than that he was an officer in the service of the Tsar. His observations indicate close acquaintance for many years with every phase of the development of the Baltic fleet, and after reading his pages one feels the very atmosphere of the creative process, and is sure that he knows at least this side of Peter's life in a more real way than is possible even through the vivid, often lurid pictures sketched by Waliszewski. It has been the fashion of late to point out that Peter was hardly more than a continuator in most of the reforms which he undertook. Even in shipbuilding his father had set him the example. But the construction of the Baltic fleet, and, through it, the acquirement of sea-power in those waters was, as Vice-Admiral Bridge remarks, the "one reform or innovation in which Peter the Great's originality of conception is indisputable."

It is evident from the narrative that the new fleet helped in the winning of the final victory over the Swedes, although at all times powerless to cope with a well-handled fighting force. Its deficiencies were those of a complicated mechanism, improvised hurriedly, and placed in the hands of inexperienced men, with an insufficient number of trained leaders. In his later pages the author points out these deficiencies unsparingly, for he becomes more frankly critical as the term of his service draws to a close. They were bad seamanship, particularly in heavy weather; such clumsy steering that the lower portholes had to be kept shut lest the water rush in; panic terror at the approach of the enemy; the reckless handling of powder charges, and wild firing, so that the Swedes were in less danger of being hit than were the Russian ships themselves of being blown up. In seeking the causes he intimates that the principal one is ill-usage of foreigners, by reason of which "none go there unless incapacitated to live in other countries." It is curious to note among the foreigners who did serve the name of a New Englander, George Paddon, Rear-Admiral of the White.

Vice-Admiral Bridge has done his work with a scholarly thoroughness, and has added several appendices, on the Swedish navy of the period and other illustrative matters.

H. E. B.

*Bonaparte et les Iles Ioniennes; Un Épisode des Conquêtes de la République et du Premier Empire (1797-1816).* Par E. Rodocanachi. (Paris, Félix Alcan, pp. xi, 316.) The Greek author of this work, after writing much on medieval Italian history, has taken up an obscure but fascinating episode in the long history of his own land. In a sense this, too, is a chapter of Italian history; for the seven islands had been an appanage of Venice for six hundred years, when Napoleon laid covetous eyes upon them and declared in 1797 that "Corfu, Zante and Cephalonia concerned him more than the whole of Italy." To possess them (he thought) was to hold the key of the Adriatic, to checkmate England at Malta, and ultimately to destroy her by the occupation of Egypt. How the isles were snatched from the palsied hands of Venice; how they

were held squirming in the uncertain hands of France—now promised all the delights of democracy, now realizing a well-nigh untempered despotism; and how, after an heroic resistance through a five months' siege, Donzelot and his gallant garrison at last yielded to English arms and "The United States of the Ionian Islands" arose under English protection—all this Rodocanachi rehearses in a most vivid and dramatic way. We cannot at the moment (at Athens, September 30, 1899) control his authorities, but his array of sources appears ample and he appends some fifty pages of original documents, including the diplomatic correspondence of Capo d'Istria, afterwards President of the new Greek state. At all events, he has given us a notable sketch of the modern Greek mind in its rebound from Venetian rule, as it began to dream again of Platonic republics—in the air; and one who turns the story over, as the present writer has just done, on the parapets of the old fort at Corfu which Donzelot stoutly held for Napoleon even after Napoleon had fallen, will be grateful for the strong light now thrown upon an episode so obscure. No student of modern Greek history can afford to leave the book unread.

J. IRVING MANATT.

*Dispatches and Letters Relating to the Blockade of Brest, 1803-1805*, edited by John Leyland. Vol. I. (London, The Navy Records Society, pp. lxvi, 369). This volume, the material of which is chiefly from public sources, but in part is drawn from the papers of Admiral William Cornwallis, who commanded before Brest, covers a wider field than its title indicates. The book treats not only of the blockade of Brest, but also of all kindred operations throughout the Bay of Biscay; in fact it seeks to illustrate the entire blockade of France from the Atlantic side as against the similar work done by Nelson in the Mediterranean.

But while the book is thus general in its scope, its contents are not correspondingly interesting. The editor has attempted to overcome this defect in his material by devoting proportionately less space to routine operations in the later portion of the volume; still it is a question whether he has succeeded in producing a work of deep interest. This does not imply censure. The French made no effort to break up the blockade, which accordingly sank into a routine offering little if any opportunity to raise an account of it above the monotonous. Yet even here Mr. Leyland has emphasized a point of interest: that Nelson's idea of a blockade—Cornwallis followed much the same system at Brest—was not to imprison the enemy, but rather to tempt him to a struggle in the open, above all not to allow him to escape unnoticed. And in other respects the book is not without living touches. There is something impressive in the simple orders which reopened a struggle reaching ten years into the past and about to extend twelve into the future; the notices of the press-gang at the opening of the volume recall a practice which happily has passed away with the necessity that forced it into being; and the occurrences reported in the ports of Spain are interesting in themselves and illustrate the peculiar position of this power, which



was as neutral in the contest as her weakness would permit; she opened her ports to both belligerents, but in practice Napoleon's military predominance secured unequally favorable treatment for French vessels in her harbors.

Mr. Leyland has added an interesting group of a dozen or more letters, obtained in the Paris archives, from Napoleon and his Minister of Marine Decrès and Caffarelli the naval prefect at Brest. They reveal such a state of ill preparation in the French ports that Napoleon's project of invading England seems to have been somewhat impracticable even before Trafalgar. This volume reaches to July, 1804, and another is to follow.

H. M. BOWMAN.

*Letters and Papers of Admiral of the Fleet Sir Thomas Byam Martin*, edited by Sir Richard Vesey Hamilton, G.C.B., Admiral. Vol. II. (London, Navy Records Society, pp. 416). This volume—the second of three, of which the first and third are as yet unpublished—covers Admiral Martin's work in the Baltic in 1808, 1809, and 1812, and his mission to Wellington in Spain in 1813. Admiral Saumarez was chief in command on the Baltic station at the time, but Martin did much independent work especially in protecting British commerce along the coast of Prussia northward toward the Gulf of Finland, and in this selection from his papers one can follow the actual workings of the system whereby Great Britain nullified the Berlin Decree in practice and preserved her commerce even in Europe despite Napoleon's opposition.

Martin's operations were suspended annually on the approach of winter, hence each season forms a unit, and his correspondence falls naturally into a division according to the years. The letters of 1808 are of little interest save as to Martin's capture of the *Sevelod* (Russian) and Saumarez's subsequent failure to attack the Russian fleet in Port Baltic—a much discussed question which here is solved by the answer that Saumarez refrained from attack by the advice of his subordinates best acquainted with the situation, Martin and Hood. In 1809 the German situation was complicated by the Franco-Austrian campaign, and the heightened interest is reflected in this correspondence: the Austrians overran the Grand Duchy of Warsaw to Thorn, and for a time Martin hoped they would enter Prussia and join him in an attack upon Danzig. But the chief interest of this volume centres in the year 1812, when the admiral, after two years of comparative inactivity as captain of the royal yacht, returned to the Baltic at the time when Napoleon's invasion of Russia drew the attention of Europe to this quarter. Martin's work was now to support Russia: he shared in the direct defence of Riga and also created a diversion in favor of this city by a feint of landing before Danzig. A point of importance is that Martin's station in this year at Riga was on the line of communication between England and the seat of war, and his correspondence reports the course of the contest so far at least as Russia allowed it to become known.

The letters of 1813 bring us into contact with Wellington's work in Spain, but not in a connection of the highest interest. Wellington had complained of insufficient naval support in the Bay of Biscay, and Martin, at the time second in command at Plymouth, was sent to investigate. He effected an arrangement without difficulty.

H. M. BOWMAN.

*A Political History of Europe since 1814*, by Charles Seignobos, of the University of Paris. Translation edited by S. M. Macvane, Professor of History in Harvard University. (New York, Henry Holt and Co., pp. xxi, 881.) Professor Macvane says in his preface: "In a few points this is not a simple translation. Here and there a phrase or even a whole passage has been omitted—sometimes because the subject-matter seemed of little importance to students in this country, sometimes because it could not have been intelligible to ordinary readers, without explanatory notes for which space could not be easily afforded. In the chapters on England I have taken somewhat larger liberties. In his treatment of recent English history Professor Seignobos seems to me to have been less successful than in the rest of his work. In trying to remedy imperfections I have not thought it expedient to distract the reader's attention with marks indicating my departure from the original."

Turning to the chapters on England we find that much the larger part of them has been left intact; the changes are only occasional. The following are some of the most important variations from the original: Some two pages (13-14) have been added upon the struggle of George III. against Parliament, the kindred matter of the original having been discarded. This is an improvement. The passage on the poor-relief system (pp. 44-46), has been in large measure rewritten, but the new matter is at one or two points less definite than the original. On page 55 a paragraph has been added making clearer the Irish situation about 1832. There are several changes in the section on trade-union legislation, the most important being the addition of a paragraph on the legislation concerning strikes. A somewhat fuller statement is given (p. 80) of the rule of 1881-82 for closing debate, and a paragraph has been added on Gladstone's second Irish Land Act (1881). There are several changes in the account of the electoral reform of 1884-85, with the result, as a rule, of greater definiteness and clearness. The matter upon Irish affairs from the middle of page 87 to the middle of page 90 is new.

The variations from the original in the other parts of the work are chiefly in the way of omissions—phrases, sentences, whole paragraphs,—but the translator has occasionally added a foot-note of value.

Granting the translator the right to alter the author's thought or even substitute his own, little fault can be found with the translation. There is seldom left the flavor of a French idiom. Professor Macvane has made a number of additions to the bibliography, chiefly titles of books in English. He has also added a full index.

E. C. B.

*The Story of the People of England in the Nineteenth Century*, by Justin McCarthy, Part II. ["Story of the Nations."] (New York, Putnams, pp. vii, 261). Although Part I. of this work brought the story in some particulars to 1835, Part II. begins with 1832. This second volume carries forward the history of reforms in Mr. McCarthy's admirable and interesting manner, fulfilling in most respects the expectations created by the former. A chapter entitled "The Convict Ship" relates the history of the penal system and its reform, and discusses the barbarous methods of dealing with political prisoners. The various Irish questions are handled with frankness and comparative fullness. The history of the Great Reform having been told at some length in the first volume, the later Parliamentary reforms are dealt with more briefly.

The chapters of the book preserve, on the whole, chronological sequence, but they often have a wide range as regards both time and matter. The chapter on "The Foundation of the Canadian Dominion" includes also an account of the efforts of the Australian colonies towards federation. A few of the chapters are largely collections of odds and ends, personal and political. Such a one is that entitled, "The Waning Century." That bearing the title, "The Close of a Great Career," may be misleading, since it is made up of a number of obituaries and some paragraphs on political topics, and only closes with a brief account of Mr. Gladstone's last days. These obituaries, which usually contain neat characterizations, elsewhere often interrupt the course of the narrative.

There is an interesting chapter on "Steam, Telegraph and Postage." The chapter on "Literature, Art and Science" is too brief (six pages) to be satisfying; but the scattered paragraphs relating to these subjects which are printed elsewhere go a good way towards making up for this deficiency. There is otherwise some lack of proportion in the book, since nearly three times as much space is given to the first twenty-five years of the period as to the last forty.

As the volume covers practically the same period as the author's *History of Our Own Times*, a comparison of the smaller with the larger work naturally suggests itself. That Mr. McCarthy has had his former work before him while writing, would seem to be evident from the similarity of many passages, but that he has really written this book anew, appropriating very little of the other in direct form, is also evident.

Whatever the criticisms that may be made upon the book, if one wishes to catch the spirit of nineteenth-century England and keep it, he should read these volumes. There are forty-six excellent illustrations, chiefly portraits.

EDMUND C. BURNETT.

Dr. W. Evans Darby, secretary of the Peace Society of London, has brought out in a new and enlarged edition, published by the Society, a volume entitled *International Tribunals, a Collection of the various Schemes which have been propounded and of Instances since 1815* (pp. 304). The author gives outlines or texts (in most cases, the latter) of

the arrangements of the Amphictyonic Council, of the *Grand Dessein* of Henry IV., of the schemes of William Penn, Abbé de St. Pierre, Bentham, Kant, Leone Levi, the Institute of International Law, Professor Corsi, etc., and the chief arbitration-treaties and conventions of the last twenty years. Upon this useful collection of texts ensues a list of one hundred and fifty-eight instances in which arbitration or mediation has been successfully tried during the period since 1813. An addendum of seventy-nine pages, also published this year, gives, beside some passages from Kant and other publicists, the text of the Treaty of Washington, 1871, and of the convention drawn up by the Peace Conference held at the Hague during the last summer.

In his entertaining series of historical gossip M. Imbert de Saint-Amand has reached the Italian war of 1859, which he describes in a volume called *France and Italy* (Scribner). He writes this time not merely to tell an interesting story, but to remind his countrymen of days of victory and glory; for Frenchmen, he says, have fallen into the habit of remembering Sedan and Metz, and of forgetting the splendid achievements of Magenta and Solferino. We need not expect, therefore, that a work thus conceived will give a complete or an impartial statement. In 1859 the Second Empire was already hollow; but M. de Saint-Amand paints only the glittering surface as it then appeared. The unpreparedness of the French War Department, the astonishing blunders of the planners of the campaign, the incompetence (with a few exceptions) of the officers, are hardly hinted at. Napoleon III. appears as a great man in every respect. But the real entertainment of this book comes from its vivid descriptions of persons and events, some compiled, others given in extracts from contemporary letters or memoirs. If the author would cite his authorities exactly, serious historical students might find in him more than mere amusement. The volume has several portraits: that of Cavour is from an inferior original.

*Glimpses of Modern German Culture*, by Kuno Francke, Professor at Harvard University (New York: Dodd, Mead and Co., 1898, pp. 233). True to its title this work affords many clear glimpses of the trend of thought and civilization in recent and contemporary German history. In fourteen sketches, already published in different periodicals, Professor Francke, having the peculiar advantage of native acquaintance and the perspective his American standpoint allows, treats concisely fourteen subjects of social, literary and historical interest.

In his introduction the author speaks plainly of the unrest and the perplexing questions among the Germans at the present time—of the still evident strife between church and state, the conflict between monarchy and democracy, the "struggle between industrial bondage and industrial freedom." He does not wholly deplore this friction for he sees therein the stimulus for new life in art and literature.

Especially instructive is the discussion of the Socialist situation, which shows that the party of that name is in no sense represented by a

mob, but is gradually combining the liberal elements of the country. Many socialist organizations are pledged to the spread of culture and refinement. Moreover the party as a whole, in spite of government interference and persecution, already has great strength in numbers and "if unchecked by international conflicts or other complications" will be found to have quietly but steadily evolved a resistless force "which will control the majority of the Reichstag."

Without lengthy consideration in any case the sections upon living authors give a distinct idea of the "literary revival which has been so brilliantly initiated by the dramatic achievements of Sudermann and his associates." Here as in his *Social Forces in German Literature*, Professor Francke looks "at the substance rather than the form of literature" which he considers "chiefly as an expression of national culture." *The Sunken Bell* of Hauptmann proves that not merely transient themes are being treated but themes that lie near the heart of all mankind. Significant too as factors in this new awakening are such productions as the poems of Johanna Ambrosius, the criticisms of Hermann Grimm, the stories of Seidel and Rosegger, Wildenbruch's *King Henry*, Hauptmann's *Florian Geyer*, Max Halbe's *Mother Earth* and Sudermann's *John the Baptist*, whose chief character Professor Francke believes worthy of Schiller's genius. Not unlike the spirit of Hauptmann is that which actuates the artist Arnold Böcklin. His Prometheus ("worthy of Aeschylus") and other bold conceptions indicate the "creative vitality" which raises him above the copyist and "makes him a representative of modern life." Bismarck is presented as the very incarnation of German character, socially, intellectually, religiously: the cool reasoner, the unbiassed thinker, one of the few men who "tower in splendid solitude above the waste of the ages."

In this exceedingly useful book the information is compactly given, the style is pleasing. Anyone desirous of knowing the Germany of to-day, its people or its literature is sure to read with interest and find incentive for further investigation.

*Source-Book of American History.* Edited for Schools and Readers, by Albert Bushnell Hart, Ph.D., Professor of History in Harvard University. With practical Introductions. (New York, Macmillan, pp. xlvii, 408.)

The purpose of this book is to make illustrative material in American history accessible to secondary schools. Such a book, to supplement the work of the text, has long been a desideratum, and Professor Hart has performed a valuable service in making it. The general plan of the book is the same as that of the editor's *American History Told by Contemporaries*. It has elaborate introductions giving many helpful suggestions to teachers on the use of sources; these are written by the editor, by Mr. Ray Greene Huling, headmaster of the Cambridge English High School, and by Professor Emma M. Ridley, of the Iowa State Normal School. There are also long lists of carefully selected subjects for topical study

from sources, brief bibliographies, and on each page marginal explanatory notes.

The book contains one hundred and forty-five selections, of which seventy-five relate to the period since the organization of the national government. Very few of these are documents. They are mostly letters, extracts from books, pamphlets and periodicals, extending from the time of Columbus to the war with Spain, and reproduced in the typography and spelling of the original editions. They are well-chosen and make a most useful and interesting book, which if rightly used by the teacher will greatly assist the student in vitalizing the past and in stimulating his interest in it.

There are few errors. The values given by the editor for 20 pounds of silver and 80 pounds of gold in England in 1578-1579 may be questioned. These are stated as \$300 and \$40,000 respectively (p. 10). Probably the exact ratio between the two metals for this year cannot be determined. The average ratio between 1561 and 1580 is given by W. A. Shaw (*History of the Currency*, p. 68) as 11.5. Relative to "An act for preventing Negroes Insurrections" in Virginia, the statement is made that "there were many insurrections in colonial times, especially the so-called 'New York slave plot' of 1741" (p. 95). We read of many plots—but it is extremely doubtful whether any considerable number of them had any real existence; and as to insurrection, as Professor Alexander Johnston has said, "it was regularly individual, and most of it was only revolt by legal construction." The evidence of the New York plot is of the flimsiest sort.

JOHN WILLIAM PERRIN.

*Topical Studies in American History*, by John G. Allen (New York, Macmillan, pp. xxxvi, 93). This little book is the second edition of a work published by Mr. Allen in 1885. It is, as the name implies, an outline of American history, arranged by topics, rather than in strictly chronological order. An introduction gives suggestions as to methods of teaching, and this is followed by ten pages of "Memory Lessons," comprising an outline of American history from the early explorers to the present time, which is to be committed to memory. This includes a list of "such memory gems for declamation . . . as shall promote in the hearts of American youths a deep and abiding love for their country." The "General Topical Outline" of the history of the United States covers sixty-eight pages, and includes a synopsis of the government under the heads, "Legislature," "Executive," "Post Office" and "Judiciary." A "Chronological Conspectus" follows. This is a list of dates in chronological order, from the discovery of Iceland to the Peace Congress at the Hague. Marginal references to secondary authorities and to works of fiction are given with some fulness. A few collections of source-material are quoted, but so well-known a book as MacDonald's *Select Documents* is not mentioned among these.



Dr. John P. Peters and Mr. W. P. Peters have privately printed in a volume of 219 pages, the *Diary of David McClure, Doctor of Divinity, 1748-1820*. Dr. McClure spent his boyhood in Boston, was graduated at Yale College in 1769, was minister at North Hampton, N. H., from 1776 to 1785, and from 1785 to 1809 at East Windsor, Conn. But the diary relates mostly to the years 1765-1775. Before going to college the diarist had devoted himself to the work of a missionary among the Indians, and had studied with Dr. Wheelock at Lebanon and visited the Oneidas. After graduation he was for a few years head of Moor's Charity School and tutor in Dartmouth College, of whose early days he gives an interesting picture. In June 1772 he set out, under the auspices of a Scottish missionary society, to labor among the Indians in the regions of the Muskingum. At that time there was no church west of the Alleghanies. The most valuable part of the volume consists of the portion which relates to this journey—4268 miles in all, the diarist computes. He gives many interesting glimpses of frontier life in Western Pennsylvania and the Ohio country. After a year, the state of the Delaware Indians being such as to preclude the hope of success, Mr. McClure returned to New England. The narrative of the next few years contains several entertaining pages. Mr. McClure kept at Portsmouth, during the winter of 1773-1774, a school for girls; "this is, I believe," he says, "the only female school (supported by the town) in New England." He visited Governor Hutchinson on errands of Dartmouth College. Preaching at Portsmouth and at Boston, he was at the latter place at the time of the battle of Lexington. "The 15th. I went to a guard house of the British, to see Mr. Piety, the Conductor of the Artillery, with whom I had been acquainted at Fort Pitt. I found them engaged in filling cartages for Cannon, from a tub of powder. Mr. Piety arose and walked with me into the Street. He informed me that they had orders to march into the country in 4 days, and were much engaged in preparing. . . I mentioned to sundry people in Boston my information, without exposing the officer's name. But people were unwilling to realize that war was at the door. One and another said, it was one of Gage's blustering manœuvres, and that he durst not send his soldiers out." On the 20th, Mr. McClure visited the line of retreat of the British, and saw some of the killed and wounded.

The volume is admirably annotated by Professor Franklin B. Dexter of Yale College.

*Pictures of Rhode Island in the Past, 1642-1833, by Travellers and Others*, by Gertrude Selwyn Kimball (Providence, The Preston and Rounds Co., pp. 176). This volume consists chiefly of extracts out of old books, from Thomas Lechford's *Plain Dealing* down to Thomas Hamilton's *Men and Manners*, in which there are descriptions of Rhode Island, or of Providence, or of Newport, as they appeared in former times. Miss Kimball has collected more than sixty such notices, all well worth printing, and surprisingly varied in character. She shows Rhode

Island as it appeared to natives and strangers, Frenchmen, Englishmen, Scotchmen, Yankees and Southerners, Puritans and Quakers, priests and soldiers, royal officials and private travellers. To name but a few, we have here the impressions of observers as various and as competent as Lord Bellomont, Madam Sarah Knight, Dean Berkeley, Chief-Justice Horsmanden, Brissot and La Rochefoucauld, Josiah Quincy and President Dwight. An especially interesting group is that of the French officers of the Revolutionary War. To each extract Miss Kimball has prefixed a brief introduction, executed in a scholarly manner and pleasantly written, containing an account of the writer sufficient to enable one to perceive his point of view. The book is handsomely made and is well adapted to entertain and instruct all those who are interested in the history of Rhode Island.

The *Third Annual Report of the State Historian of New York* (Albany, The State), is a volume of 1158 pages, of which over seven hundred are occupied with muster-rolls, chiefly of the years 1760 to 1775. The first hundred pages are devoted to letters relating to incidents in the Civil War. A more valuable portion is that (pp. 157-436) in which the records of the colonial government are pursued, in continuation of last year's installment, through the years 1673, 1674, and 1675. Here are many documents of much value for the history of New York, and also of Martha's Vineyard and Nantucket. But the extraordinary course has been taken of printing only those documents which are in English. Those which are in Dutch are mentioned by title, but are otherwise ignored, neither original text nor translation being given. Upon a rich state containing seven million people, twenty-seven colleges and a score of historical societies, and whose governor is an eminent historical scholar, volumes of "history" edited as these are can reflect little credit.

*The Backward Trail: Stories of the Indians and Tennessee Pioneers*, by Will T. Hale (Nashville, The Cumberland Press, pp. vi, 183). This book is a series of sketches of early Tennessee history, ranging, in a way, over the period from the earliest discovery of the soil to 1800. While the book concerns itself principally with the picturesque features of pioneer life, particularly with incidents of heroism, there is also an outline of the history of the time; but this outline is apparently constructed mainly to serve as a frame-work for the stories, and, such as it is, after a few chapters it fairly fades away.

The stories are culled from the older writers, and even in the telling of them there is little that is new. This is not necessarily a bad thing. One would not often expect to improve upon the graceful style of Haywood, or the vigor of Ramsey. Accordingly many passages from these and other historians of the state are embodied in the book entire and distinguished by quotation-marks. There are many paragraphs, pages even, that but for some slight changes, might also have been so distinguished. In some respects it is a disappointment that the author did

not give at least a more original tone to the stories. The process of gathering, combining and condensing has sometimes involved the narrative in obscurities. It should be said, however, that occasionally in descriptive passages, where the imagination has full swing, the author strikes an original vein that is pleasing; not always, for his sentences have an exasperating tendency to what rhetoricians call "looseness."

In the extracts from other writers the author takes rather large liberties, in modernizing or otherwise altering the text. In Donelson's *Journal* of the voyage from the upper Holston to the present Nashville (the journal is given entire) there are numerous variations from the copy in Ramsey, which is presumably the source of Mr. Hale's copy. Is it not false modesty that impels Mr. Hale to alter: "The wife of Ephraim Peyton was here delivered of a child" into: "A child was born to the wife of Ephraim Peyton"? Or to make Haywood say "abdomen," when he really wrote "belly"?

There are chapters on the social and religious life of the pioneers, on the Indians, on the Mound-Builders, and one on constitution-making. The most important part of this chapter is an analysis of the constitution of 1796, and this—with omissions—is taken from Caldwell's *Constitutional History*.

The work will without doubt prove to be interesting reading, but had Mr. Hale confined himself to the literary features of his subject, his work would probably have commended itself more favorably. There is abundant room for work of that character.

EDMUND C. BURNETT.

*White and Black under the Old Régime*, by Virginia V. Clayton (Milwaukee, The Young Churchman Co., pp. 195). In this little book we have the reminiscences of the widow of General Henry D. Clayton of the Confederate army. Mrs. Clayton's motives in writing were, she tells us in her preface, to fulfill a request of her husband's, to enlighten Northern readers as to the real nature of Southern slavery, and to please the circle of personal friends to whom, rather than to the general reader, her book will most appeal. It is a simple straightforward account of the home of a Southern girl and woman, on an Alabama plantation, from 1835 to 1886. The author describes her childhood days, and her life at a Southern boarding-school, and gives at some length the details of the domestic management of the plantation. The most interesting part of the volume is that describing a few months' stay in the territory of Kansas, in 1856, when General Clayton was entrusted with the dispensing of the funds raised by the states of Alabama and Georgia for the purpose of taking out emigrants to vote for the Southern party in the approaching election. The second half of the book describes the Civil War, and its effects upon the quiet plantation life. The period of reconstruction is treated with simple dignity and with a strong sense of justice. General Clayton's career after the close of the war, as circuit judge of Alabama, and as president of the University of Alabama, at Tuscaloosa, are briefly

touched upon. The book is written in an unpretending, at times almost school-girlish, style, and is strongly religious in tone. Slave-holding is justified by numerous citations from the Scriptures. The introduction, by Mr. F. C. Morehouse, does not add to either the interest or the value of the volume.

*The Clay Family.* Part First: The Mother of Henry Clay. By Hon. Zachary F. Smith. Part Second: The Genealogy of the Clays. By Mrs. Mary Rogers Clay. [Filson Club Publications, No. 14.] (Louisville: The Filson Club. 1899. Pp. vi, 252.) Beginning, as far as authentic record goes, with an ancestor, Charles Clay, of Henrico County, Virginia, who in 1676 showed the inherent democratic instincts of the family by taking the side of Nathaniel Bacon, in the popular revolt against the government, the family of Clay has spread widely through Virginia, the West and South, and produced a number of really eminent men.

The first section of the book here treated of gives all that can be learned, from tradition and the recollections of those who knew her, of the mother of Henry Clay. Mr. Smith has succeeded in presenting a pleasant, though (from lack of information) not a very vivid picture, of a woman of the courage and spirit we should expect in the mother of "Harry of the West."

In the second and larger section Mrs. Mary Rogers Clay has prepared with great care, and with labor such as no one can appreciate who has not done similar work in the same section of country, an account of the various branches of the family down to the present day. With the exception of her first few pages, where she falls into the common error of inexperienced genealogists, in believing that persons of the same surname must be sons or brothers, as might best suit their dates, there is nothing to criticize, and much to commend in her work. Unfortunately she assumes that a John Clay, who received an early grant of land, which was regranted to his son William, was also the father of Thomas Clay of Surry County, Francis of Northumberland, and Charles of Henrico, to whom the family treated of can be traced. There is not the slightest proof in either case, and the records of Northumberland County, together with information found in England some years ago by Mr. Waters, and published in the *New England Historical and Genealogical Register*, show conclusively that Francis was not a brother. It should be added that belonging to the middle class was no evidence that the immigrant ancestor was not as well born as many of the planter class. Mr. Smith, however, the author of the sketch of Mrs. Clay, is not so free from these genealogical sins. He quotes, without any expression of doubt, traditions about a descent from a Mr. John Clay, who had three sons (the ever-recurring "three brothers") settled in Virginia with £10,000 sterling apiece, which he had bestowed on them! Of course there is no proof of anything like this. As has been said, the line can not be traced beyond Charles Clay, living in Virginia in 1676.

Contrary to the traditions quoted, every one who is acquainted with

the records and history of the counties in Virginia in which the Clays lived, knows that during the colonial period they did not rank with the gentry or ruling class. Neither in Henrico nor in Chesterfield was a Clay a magistrate (one of the best tests of a family's position), and nowhere in the records of these counties, so far as I am acquainted with them, is a member of the Clay family styled "gentleman." The fact is, that the Clay family was an example—probably the best example—of the prosperous yeoman farmers (using the word in an English sense to make the meaning clearer) who have always composed the great majority of the rural population of Virginia. It is strange that in the past many writers (especially those hostile to Virginia) have been apparently ignorant of the very existence of this great part of our people, and have appeared to think that Virginia was inhabited solely by the "planting aristocracy" and the "poor whites." There was never any impassable line between this middle class and the aristocracy (using the word solely to mean the large-property-holding and the office-holding class) and movement from one to the other, in both directions, was constantly going on.

Such mistaken views, due to a very pardonable family pride, which shows itself in almost every published genealogy, have deprived this book of an instructive lesson to the student who is interested in genealogy on account of the light it throws on the history of a people. It would have been of value to show that there was this great middle class in colonial Virginia, that this class was composed of such people as the Clays were, and that under changed and more liberal conditions such families could produce such men as the family of Clay has done.

But Mr. Smith and Mrs. Clay did not write with a view to furnishing side-lights on the history of the Virginia people, but to prepare a memoir of the mother of Henry Clay, and a genealogy of the Clay family, and these purposes they have, with the exceptions noted, carried out admirably. The book is published in the usual sumptuous fashion of the Filson Club, and contains twenty portraits.

#### COMMUNICATION.

TO THE EDITOR OF THE AMERICAN HISTORICAL REVIEW:

*My dear Sir:*

There are members of the American Historical Association and readers of the AMERICAN HISTORICAL REVIEW who, having subscribed to the *Letters to Washington*, have a right to be informed how far Mr. Worthington Chauncey Ford is justified in his criticisms on that work or to what extent his review is based on his own individual theories (see his review in Volume IV., No. 4, July 1899, page 729). In justice, therefore, to such subscribers; to students and historical writers who will use the *Letters* in connection with their own work, I hope I may be given an

opportunity, on the eve of the appearance of Volume II. of the series, of replying to a part of Mr. Ford's censorious review,—a part only, for it were useless to discuss the dogmatical statements made by Mr. Ford regarding both the mechanical and the editorial side of the work. His statement, for example, "that capitals and abbreviations are interesting from the study of character they permit, but inserted words may be embodied in the text, and altered words unless they materially altered the original meaning may be omitted," hardly agrees with his first statement that "the text must be accurate *and as the writer made it.*"

Why should "Thorton" be either of two other things, according to Mr. Ford, when it is "Thorton" in the original manuscript; or when Colonel Stephen continually wrote "Walkins" (pp. 121, 129, 136) should it be printed, as Mr. Ford would have it, "Watkins"; and where it is clearly "Triplep" in the original should it be changed *in the text* to "Triplet"? The correct spelling of proper names "carelessly" (?) written in the manuscript may be arranged in the index, but in the body of the work the print should follow the original. Why could not Monacatootha have been an "agreed" friend to the English? *Agreed* is perfectly intelligible and it is so in the original, notwithstanding Mr. Ford's suggestion that it is more likely to have been "a good or great friend." "Conigockicg" would be a remarkable printing of Conecocheague were it not that Commissary Walker so wrote it. As to "Talmuth" for "Falmouth" I fail to find it where Mr. Ford says it occurs (p. 136). A reviewer so very critical should be more careful.

As to Mr. Ford's "probable" readings may I not ask why, when Mr. John Carlyle wrote "Car<sup>r</sup> on the N. first cost", should it have been changed by me even in the exercise of a "personal quality" to "cu<sup>r</sup> on their"? If this edition of the *Letters* was intended as an historical primer I might have noted that the sentence written in full would be "carrying on the nett first cost." Also in regard to "Grass Guard" (page 142) which Mr. Ford does not understand and for that reason, apparently, drags it in to swell the total of his criticisms. I might have noted that the detachment of men guarding pasturage was so styled, but this I think would occur to anyone reading those letters wherein the subjects of cattle and of pasturage are dwelt upon, or to any one at all familiar with the commissary methods of the period.

I regret, with Mr. Ford, that "conjecture fails to disclose the reference to the Ciprian Dame (p. 39) and to XVIII. f. f. D. (p. 329).'' In the first case the Chevalier Peyrouny indicates by a cross-mark where he would have inserted in the body of his letter certain words *written in the margin*. I so inserted them, having read them as printed. On referring again to the original manuscript I see no reason to change my reading. In the other case XVIII. f. f. D. is printed as written. No note could have made it plainer that it refers to the Drafts, the first subject of Col. Stephen's letter.

If a comparison were made of these literal prints word for word with the original manuscripts it would be found that both the printer and the



editor have performed their task conscientiously and that they have proven that it is not the impossible task it appears to Mr. Ford to reproduce in type the peculiar and often characteristic oddities of writing encountered. It seems, however, beyond even the most painstaking care to be never without a slip in such exacting work; but it is a source of satisfaction that even with Mr. Ford's minute scrutiny so few and such obvious misprints have been found, especially when the difficult character and almost illegible condition of many of the manuscripts are considered.

Mr. Ford has, however, pointed out some typographical slips in the printed text. "I have seen a breviate comission" (p. 12), should read "I have sent"; "P. A." (p. 138) should read "P. H.",—Peter Hog, naturally; "espused" (p. 160) should read "expected"; and again "premium" (p. 358) should read "premium." The sense is in each case obvious, and while this is no excuse for such misprints, yet they are surely not of such character "that serious doubt must apply to the entire text as printed," as Mr. Ford asserts.

Where Mr. Ford's criticisms are just and tend to eradicate errors, they are appreciated. But where, whenever he does not understand the text, he takes it to be an error or an evidence of *careless* reading of the manuscript or of the proof, and appears to depend upon his memory as to the manner in which the original was written, he goes beyond the limits of fair criticism and unjustly censures that which he does not understand.

I remain, my dear Sir,

Very truly yours,

STANISLAUS MURRAY HAMILTON.

[Upon submitting a copy of the above communication to Mr. Ford, the managing editor has received the following reply:

"I cannot but think that Mr. Hamilton reads into my review a spirit which was not intended. A manuscript should be printed as the writer made it; but this does not mean that every flourish, blot or interlined word should be reproduced. Further, in cases of doubt, it is better to print a proper name in a form which approaches a correct one, than to go out of one's way to produce a form remote from the true and therefore misleading. If the manuscripts are in as bad condition as Mr. Hamilton says they are, he could have erred on the right side, and not read a *c* for an *e*, *n* for *u*, *k* for *h*, *a* for *u* and *n*, or *vice versa*. The function of an editor is to make a manuscript intelligible to the reader, and the reviewer's experience might have saved him from the charge of dogmatizing. Even Mr. Hamilton's explanation leaves it an open question whether his *Conigockieg*, *Wa/kins* and *Triple* are true readings of the manuscript, as the places and names are well known. Does Mr. Hamilton leave an *i* undotted? If not, why make an uncrossed *t* into an *l*?"

## NOTES AND NEWS

The fifteenth annual meeting of the American Historical Association was held at Boston and Cambridge on December 27, 28 and 29, and was in several respects the most interesting and successful meeting which that body has ever had. The association, which now has 1411 members and property amounting to more than \$12,500, entered upon several new projects or lines of activity. A detailed account of the meetings may be expected in our April issue. The next meeting is to be held in Detroit on December 27, 28 and 29, 1900. Professor A. C. McLaughlin of the University of Michigan is chairman of the committee on the programme, and Hon. Peter White of Marquette of the committee of arrangements.

John Codman Ropes, than whom no one in America had a higher reputation as a student of military history, died in Boston on October 28, aged sixty-three. Though of necessity a civilian, Mr. Ropes followed the Civil War with eager interest, and, led thereby into military history, wrote first a small book on *The Army under Pope*. His books on *The First Napoleon* and *The Campaign of Waterloo* showed him a skillful critic of other wars than ours, and a writer of high merit. His most important work, his *Story of the Civil War*, was left unfinished at his death. The first volume was brought out in 1895, and at once received the highest commendations. The second volume, extending through the year 1862, was recently published, and is to be reviewed, by a most competent hand, in our next number. Mr. Ropes was the founder and leading spirit of the Military Historical Society of Massachusetts, a prominent lawyer, a generous friend of learning, and a most interesting and genial companion.

M. Arthur Giry, who since 1895 had been professor of diplomatics at the École des Chartes, and who was the author of what may be fairly called the leading general treatise on that science, died at Paris on November 14, aged fifty. In earlier life he had been attached to the Archives Nationales. He had published several books on the history of various French municipalities,—St. Omer, Rouen, St. Quentin,—and the development of their institutions in the early Middle Ages, and in 1885 his *Documents sur les Relations de la Royauté avec les Villes de France de 1180 à 1314*. His *Manuel de Diplomatie* appeared in 1894. He was an influential teacher, and a man of great force and probity of character.

Professor Karl von Weizsäcker, rector of the University of Tübingen, died there on August 13-14, in his seventy-seventh year. A pupil of Baur, he had long been professor of ecclesiastical history at Tübingen, and had written a noted book on *Das Apostolische Zeitalter der christ-*

*lichen Kirche*, 1886, a remarkable translation of the New Testament, 1874, and *Untersuchungen über die evangelische Geschichte*, 1864.

M. Jules Flammermont, professor of history in the University of Lille, died on July 29, aged forty-seven. He had devoted himself chiefly to the history of France in the eighteenth century. His chief publications were two volumes of *Remontrances du Parlement de Paris au XVIII<sup>e</sup> Siècle*; two volumes prepared in conjunction with the Ritter von Arneth, of the correspondence of Mercy-Argenteau with Joseph II. and Kaunitz; and a series of *Correspondances des Agents Diplomatiques Étrangers en France avant la Révolution*. The work upon the history of Marie Antoinette upon which he had for many years been engaged was left unfinished at his death, and indeed was ordered by his will to be destroyed, together with all his other papers.

The Chevalier Charles Joseph de Harlez, who for thirty-two years had been professor of the languages of India, China and Persia at the Catholic University of Louvain, died at Liège on July 14, at the age of sixty-six. His translation of the Avesta published in 1875, his writings relating to Zoroastrianism brought out between that date and 1882, and his subsequent publications on the history of Chinese religion, had given him a very high rank among European Orientalists. He was the founder and editor of *Muséon*.

M. Étienne Charavay, the biographer of Lafayette, died on October 4, aged fifty-one. He was one of the founders of the Société d'Histoire de la Révolution Française, and was noted as a collector of autographs. He edited the first two volumes of the *Lettres de Louis XI.* and the first two volumes of the *Correspondance de Carnot*.

Consul Willshire Butterfield, writer of several books upon the history of Western exploration, of which the latest was a volume on Brulé's expedition, died on September 25, aged seventy-five.

Dr. Moritz Busch, the Boswell of Prince Bismarck, died on November 16, aged seventy-eight.

Mr. Kendric C. Babcock, hitherto instructor, has been made assistant-professor of history in the University of California.

The historical section of the International Congress of the Higher Education, to be held at Paris in the summer of 1900, will especially consider the two questions of the essential conditions of the study and teaching of history in universities, and of the proper content of secondary instruction in history.

The Institut International de Bibliographie of Brussels proposes to issue, beginning in March, 1900, a periodical guide to the contents of the historical journals of the world. The work is to be carried on by a committee in each country, and to be edited in Brussels. Provision is made for quarterly and quinquennial cumulative indexes.

Students of the sciences auxiliary to history will be glad to know of a careful bibliographical review by M. Maurice Prou, *La Paléographie et*

la *Diplomatique de 1888 à 1897* (Paris, Société Bibliographique, pp. 104), separately printed from the forthcoming report of the International Bibliographical Congress. The report is so full and so careful as to be of permanent value to workers.

Dr. Ernest F. Henderson, author of a *History of Germany in the Middle Ages*, has begun the issue of a periodical of unusual plan entitled *Illustrated History*. A sub-title designates it as "A quarterly publication for the purpose of increasing the number of useful references for topical reading in the field of general history;" but that which chiefly impresses the eye is the unusual array of portrait illustrations, derived from contemporary engravings and reproduced with remarkable success. The magazine, of which the first edition is marked as "Printed for private circulation," contains original articles, presumably by Mr. Henderson, on The Kings and Queens of Prussia, The Turkish Imperial Wars of the Seventeenth Century, Ulrich von Hutten and Franz von Sickingen, The Council of Trent and the Order of Jesuits. It likewise contains a first installment of a "Guide to the Study of European History," topics with references; but the references are all in English and therefore of very limited value. In a third section, devoted to original sources, some interesting translations from memoirs and letters are presented.

Messrs. G. P. Putnam's Sons intend to issue a set of ten volumes entitled *The World's Orators*, presenting a representative collection of orations selected as masterpieces of eloquence and also on the ground of their historic influence, and extending from the earliest times to the present day. The chief editor will be Dr. Guy Carleton Lee of the Johns Hopkins University.

With the second volume of Mr. Beazley's translation of Azurara the Hakluyt Society completes its hundredth volume and the first series of its publications. The second series begins with the volume for 1899 and the council of the society holds out to the members a hope that if the number of subscribers, at five dollars annually, is slightly increased it may be possible to issue three volumes each year instead of two.

The directors of the Old South work have brought out as No. 100 of their *Old South Leaflets*, Robert Browne's *Treatise of Reformation Without Tarrying for Anie*, and have now made up a fourth volume out of the *Leaflets* from No. 76 to No. 100.

*The Northwestern Monthly* contains in each issue a series of studies in European history by Professor Fling of the University of Nebraska, and a series in American history by Professor Caldwell of the same university. The plan of both is to lead by extracts and comments into the intelligent study of the original sources.

In the Columbia University "Studies in History, Economics and Public Law," Vol. XII, No. 1, Dr. William Maxwell Burke presents a monograph on the *History and Functions of Central Labor Unions*. The historical portion forms an introduction of some forty pages.

## ANCIENT HISTORY.

M. J.-B. Mispoulet, in a learned and interesting work entitled *La Vie Parlementaire à Rome sous la République* (Paris, Fontemoing, pp. 418), after an introductory account of the Roman constitution, devotes himself especially to the parliamentary antiquities of the senate, and illustrates its procedure by a detailed examination of the most famous scenes and episodes in its history.

Professor F. Cumont of Ghent has published the introduction to his important *Recueil de Textes et Monuments figurés relatifs aux Mystères de Mithra* (Brussels, Lamertin, pp. 136).

*Pompeii, Its Life and Art*, by August Mau of the German Archaeological Institute in Rome, has been translated into English by Mr. Francis W. Kelsey, professor of Latin in the University of Michigan, and published by the Macmillan Company in a volume illustrated with over two hundred pictures taken partly from photographs and partly from drawings.

If in our last number, in commenting upon Dr. Howland's *The Early Germans* in the series of *Translations and Reprints from the Original Sources of European History*, we seemed to imply that, in the translation of the *Germania* there presented, an undue use had been made of Church and Brodribb, we owe an apology to the editor. His statement was that he had made free use of the versions named; and we are assured that the translation remains substantially his own.

Noteworthy articles in periodicals: G. Schmoller, *Ueber die Grösse der Bevölkerung in älterer und neuerer Zeit* (Sitzungsberichte der k. preuss. Akademie der Wissenschaften, 1899, 35); Sir H. H. Howorth, *The Early History of Babylonia*, III. (English Historical Review, October); Sir W. H. Rattigan, *The Ancient Jus Gentium of the Aryans* (Law Quarterly Review, July); L. Ziehen, *Die drakontische Gesetzgebung* (Rheinisches Museum, LIV. 5); F. Cauer, *Thukydides und seine Vorgänger* (Historische Zeitschrift, LXXXIII. 3); J. Beloch, *Die Bevölkerung Galliens zur Zeit Caesar's* (Rheinisches Museum, LIV. 5); O. Hirschfeld, *Die Epitome von Florus* (Sitzungsberichte der k. preussischen Akademie der Wissenschaften, 1899, 29).

## MEDIEVAL HISTORY.

In the *Neues Archiv*, XXV. 1, Professor Bresslau studies the sources of the *Chronicon Wirzburgense*, Dr. F. Güterbock an interesting manuscript of the Annals of Verona which formerly belonged to Sigonius, and Dr. Holder-Egger continues his investigations of the sources for the history of Thuringia.

Mr. N. Jorga has published (Paris, Leroux, pp. 542) a volume of *Notes et Extraits pour servir à l'Histoire des Croisades au XV<sup>e</sup> Siècle*, summaries of or quotations from a mass of documents derived from the archives of Ragusa chiefly, but also from the papal accounts at Rome, those of the Camerlenghi at Florence and those of King Alfonso I. at Naples. A second volume, on Byzantine chroniclers of the fifteenth

century, will follow. Later, volumes of narrative will be published, accompanied by further documentary publications.

Noteworthy articles in periodicals: G. Monod, *La Renaissance Carolingienne* (Compte-Rendu de l'Académie des Sciences Morales et Politiques, August); J. B. Milburn, *Medieval Grammar Schools* (Dublin Review, July); E. Müntz, *L'Argent et le Luxe à la Cour Pontificale d'Avignon II.* (Revue des Questions Historiques, October).

#### MODERN EUROPEAN HISTORY.

The first volume of the *Beiträge zur Geschichte des Konzils von Trient*, edited by K. Brandi, is now completed by the issue of Heft 5. The new part contains the acts of the council for May and June, 1546.

Most sets of Luke Wadding's *Annales Minorum* lack Vol. XX. (1569-1574), of which most copies were burned in a fire at Rome almost immediately after printing, in 1797. The Franciscan fathers of the College of St. Bonaventura at Quaracchi have reprinted this volume, with some revision.

The historical section of the Italian war archives has published the volume of the *Campagne del Principe Eugenio di Savoia* relating to the campaign of the year 1709 (Turin, Roux, pp. 311, 298).

At the instance of Field-Marshal-Lieutenant von Wetzer, director of the War-Office archives at Vienna, Captain Christe has published in the *Mittheilungen* of those archives all the hitherto secret documents which it possesses, relating to the murder of the envoys at Rastadt.

Noteworthy articles in periodicals: D. Schäfer, *Der Kampf um die Ostsee im 16. und 17. Jahrhundert* (Historische Zeitschrift, LXXXIII. 3); A. Bourguet, *Le Duc de Choiseul et l'Angleterre; La Mission de M. de Bussy à Londres* (Revue Historique, September); V. Pierre, *Le Clergé Français en Angleterre* (Revue des Questions Historiques, October); C. A. Conant, *The Evolution of Modern Banking* (Political Science Quarterly, December).

#### GREAT BRITAIN AND IRELAND.

The British government has brought out the seventh volume of its *Calendar of Letters, Despatches and State Papers relating to the Negotiations between England and Spain*. The volume was the last edited by the late Don Pascual de Gayangos; the documents relate exclusively to the year 1544. The government has also printed a *List of the Proceedings of the Commissioners for Charitable Uses, appointed pursuant to the Statutes 39 Elizabeth, cap. 6, and 43 Elizabeth, cap. 4, preserved in the Public Record Office*; and reports of the Historical Manuscripts Commission on the manuscripts of the Duke of Buccleuch (Vol. I.), the Marquis of Ormonde (Vol. II.), and the Marquis of Salisbury (Vol. VII.).

The third volume of the *Transactions of the Jewish Historical Society* contains an article on Aaron of Lincoln, by Mr. Joseph Jacobs, with an account of debts due to his estate in 1201, communicated by Mr. S. Levy;



documents relating to the history of the Jews in England in the thirteenth century, communicated by Mr. C. T. Martin; a discussion of the supposed Jewish synagogue at Bury St. Edmund's ("Moyse Hall"); a paper on Rabbi Zevi Ashkenazi and his family in London; and one by Mr. Lucien Wolf on "American elements in the resettlement of the Jews in England."

The University of Edinburgh has caused to be published (London, Thin, pp. 1062), its *Calendar of the Laing Charters*, 854-1837, edited by Mr. J. Anderson.

Mr. W. G. Searle's *Anglo-Saxon Bishops, Kings and Nobles* (Cambridge, University Press, pp. 469) contains lists of Anglo-Saxon bishops occupying native or foreign sees, with their various dates and appropriate references to the original sources; genealogies of the Anglo-Saxon reigning families; and genealogies, more or less complete, supported by citation of authorities, of eighty-three noble families not royal.

Professor John E. Matzke of Leland Stanford University has published a critical edition of the *Lois de Guillaume le Conquérant* (Paris, Picard, pp. liv, 32). He concludes that the original text was written in French, not in Latin, between 1150 and 1170.

A class in palaeography at the London School of Economics and Political Sciences has prepared, under the supervision of Mr. Hubert Hall, lecturer in palaeography at that school, a fac-simile of a fragmentary Exchequer roll, identified as the *Receipt Roll of the Exchequer for Michaelmas Term, 31 Henry II.*, A.D. 1185. Its membranes are reproduced in collotype and its entries and those of the contemporary Pipe Roll are printed in parallel columns. The volume, which is the first published result of organized palaeographic instruction in England, has very considerable value for the history of finance and administration.

Dr. Samuel Rawson Gardiner has published a second edition, revised and enlarged, of his *Constitutional Documents of the Puritan Revolution*.

Under the title *Carmel in England*, Mr. B. Zimmerman has published (London, Burns and Oates, pp. 399) a history of the English mission of the barefoot Carmelites from 1615 to 1849, drawn from documents preserved in the archives of the order.

Miss Eva Scott has published under the title *Rupert, Prince Palatine* (Westminster, Constable and Co.) a highly skillful and thorough account of an extremely interesting personality and career, never before so well described.

Messrs. Archibald Constable and Co. publish a *Life of Richard Badingley*, who commanded the English squadrons in the Mediterranean Sea during the Dutch War of 1652-1654. It is prepared from contemporary documents and records by Mr. Thomas Alfred Spalding.

M. Paul Thureau-Dangin has given an excellent narrative and appreciation of the Oxford movement as a first volume of his *La Renaissance Catholique en Angleterre au XIX<sup>e</sup> Siècle* (Paris, Plon, pp. 333).

Noteworthy articles in periodicals: J. Morley, *Life of Cromwell* (Century Magazine, November, December); S. R. Gardiner, *The Transplantation to Connaught* (English Historical Review, October); William Pitt and the Family Compact (Quarterly Review, October); W. G. Beach, *The Australian Federal Constitution* (Political Science Quarterly, December).

#### FRANCE.

By decree of the President of the Republic, suggested by the minister of marine, the historical archives of that department are to be deposited at the Archives Nationales. Decrees of 1855 and 1887 permit such a transfer in the case of all the departments, but this is the first to execute the consolidation.

The Société de l'Histoire de France has published the second volume (1414-1428) of its extracts relating to the history of France from the Chronicle of Antonio Morosini, and the second volume (1703-1709) of the *Mémoires du Chevalier de Quincy*.

The Société de l'Histoire de Paris has published the first of two volumes, edited by M. Jules Viard, of *Documents Parisiens du Règne de Philippe VI. de Valois, extraits des Registres de la Chancellerie de France* (Paris, H. Champion, pp. 339).

The catalogue of the acts of Francis I., undertaken by the Academy of the Moral and Political Sciences, is now completed by the issue of the seventh volume. An eighth volume will give a list of the officials of France under Francis I., a ninth a general index to the series. The Academy has already begun the printing of the more important acts *in extenso*.

The municipality of Bayonne have lately printed another volume of their archives, *Registres Gascons*, Tome II. (1514-1530). The volume contains a good number of items relating to the Newfoundland fisheries.

The September-October number of the *Revue Historique* contains a remarkable memoir by Dumouriez, written in 1773 in order to lay before M. de Monteynard, then minister of war, the conclusions and speculations concerning the international politics of Europe to which the author's varied experiences and observations had conducted him; and a body of extracts from the correspondence and other papers of Prince Emmanuel of Salm-Salm, chiefly relating to the first period of the French Revolution.

Much importance attaches to the *Fragments et Souvenirs du Comte de Montalivet*, of which the author's son-in-law, M. Georges Picot, has just published the first volume (Paris, Calmann Lévy). M. de Montalivet was minister of the interior under Louis Philippe from 1830 to 1832 in the ministry of Casimir Pèrier, and also from 1836 to 1839, in that of Thiers and Molé; he was an official of the government during the remainder of the reign, a wise adviser of the King, and a man of the highest personal character.

The fourth volume of M. Émile Ollivier's *L'Empire Libéral* is entitled *Napoléon III. et Cavour* (Paris, Garnier, pp. 616), and is occupied with the state of French politics before the Italian war, with the war itself, and with its consequences, all described with much literary skill.

Lieutenant-Col. Rousset, author of an excellent history of the Franco-German war, has brought out a more special work (Paris, Charles Lavauzelle, pp. 384) on *Le 4<sup>e</sup> Corps de l'Armée de Metz* and its services under General de Ladmirault.

M. Léon de Seilhac, in his *Les Congrès Ouvriers en France de 1876 à 1897* (Paris, Armand Colin, pp. 364) presents a summary of all the proceedings of the national congresses of labor unions since the decline of the International Association.

Noteworthy articles in periodicals: G. Alix, *Les Origines du Système Administratif Français* (Annales des Sciences Politiques, July); C. Bellier-Dumaine, *L'Administration du Duché de Bretagne sous le Duc Jean V.* (Annales de Bretagne, XIV. 4); G. Hanotaux, *Richelieu Rebelle, 1619-1620* (Revue des Deux Mondes, June 1); A. Barine, *La Grande Mademoiselle, II.* (Revue des Deux Mondes, October 1); A. Droz, *Le Procès de Fouquet* (Revue de Paris, July 15); *St. Vincent de Paul* (Edinburgh Review, October); F. A. Aulard, *L'Opinion Républicaine et l'Opinion Royaliste sous la première République, avant le 9 Thermidor* (La Révolution Française, June 14); id., *La Constitution de 1793* (ibid., July 14); id., *Les Origines Historiques du Socialisme Français* (Revue de Paris, August 15); P. Gautier, *Madame de Staël et la Révolution de 1798* (Revue des Deux Mondes, November 1); R. Stourm, *Les Collaborateurs Financiers de Bonaparte au Début du Consulat* (Compte-Rendu de l'Académie des Sciences Morales et Politiques, August); E. Daudet, *L'Ambassade du Duc Decazes, 1820-1821* (Revue des Deux Mondes, October 15, November 15); G. Weill, *Les Républicains Français en 1830* (Revue d'Histoire Moderne et Contemporaine, November-December).

#### ITALY, SPAIN, PORTUGAL.

The department of modern history in the University of Palermo, under the direction of Professor G. B. Siragusa, is about to begin the issue of a series of volumes entitled *Fonti della Storia di Sicilia*, to include sources unprinted or, if printed, rare or hitherto ill edited. The critical apparatus will be elaborate. The first book will be an unpublished sixteenth-century chronicle of the Benedictine monastery of Catania (1515-1575).

Signor E. Levi has discovered, or perhaps rather re-discovered, in the Biblioteca Braidense at Milan, Fra Paolo Sarpi's official relation (1618) of the conspiracy of that year against the Venetian state. This he has published in the *Nuovo Archivio Veneto*, XVII. 1.

Signor A. Cipollini prints in the *Archivio Storico Lombardo*, third ser., Vol. XXII., an index to the reports of Carlo Maria Maggi, secre-

tary to the senate of Milan from 1661 to 1699, papers valuable for the history of Milan under Spanish rule.

The correspondence of the Marquis Gino Capponi has been published at Florence in six volumes, edited by Signor A. Carraresi.

The fortieth anniversary of the educational work of Professor Pasquale Villari was celebrated at Florence, on November 18, 1899. The fund established in his honor for the promotion of historical studies is to be administered by a council composed of the president of the faculty of letters at Florence, the president of the Istituto di Studi Storici at Rome, a representative of the Accademia dei Lincei, a representative of the Accademia della Crusca and a professor of history.

Señor Rafael Altamira y Crevea, editor of the *Revista Crítica de Historia*, proposes to publish a scholarly yet popular illustrated history of Spain, in two large volumes (Juan Gili, Cortes 223, Barcelona).

Noteworthy articles in periodicals: F. Masson, *Le Royaume d'Italie*, 1805 (*Revue de Paris*, June 15); B. Duhr, *Pomb. I* (*Zeitschrift für katholische Theologie*, 1899, 3).

#### GERMANY, AUSTRIA.

The "Courrier Allemand" of the *Revue des Questions Historiques* has ordinarily left at one side the German publications in medieval history. But that presented in the recent October number, by E. A. Goldsilber, gives a summary account of the medieval historical publications of 1898 and the first months of 1899.

The latest addition to the *Historische Bibliothek* is *Hans Carl von Winterfeldt, ein General Friedrichs des Grossen*, by Ludwig Mollwo (Munich, Oldenbourg, pp. 263), in which the career of Winterfeldt, adjutant-general to Frederick in the period before the Seven Years' War, is illustrated from the archives of Berlin and Zerbst, as well as from the more accessible materials used by former biographers.

The Munich Historical Commission, whose *Allgemeine Deutsche Biographie* is now reaching the end of the alphabet, will add to it four supplementary volumes. It expects shortly to issue the tenth and twelfth volumes of its series of the earlier *Reichstagsakten*, completing the reign of the Emperor Sigismund, and a third volume of the later series. In the series of municipal chronicles the next to appear, Vols. XXVI. and XXVII., will be those of Lubeck and of the *Schöffen* of Magdeburg; later will come a third volume for Magdeburg, and chronicles of Bremen and Rostock. For the *Jahrbücher*, Dr. Uhlirz has gathered his material for those of Otto II.; Professor Simonsfeld has made large progress with the earlier part of those of Frederick I.; Professor Meyer von Knonau expects before the end of the year 1900 to complete Vol. III. (— 1084) of those of Henry IV.; Dr. Karl Hampe has undertaken those of Frederick II., begun by Winkelmann.

In the October number of the *Deutsche Rundschau* General von Verdy du Vernois begins a series of notes and reminiscences of life at the headquarters of the Prussian Crown Prince during the war of 1866.

The Hessian Historical Commission has put to the press the first volume of its cartulary of Fulda, edited by Professor Tangl, and the first volume of the acts of the Landtag at the beginning of the sixteenth century, edited by Dr. Glagau.

In the series of *Württembergische Geschichtsquellen* the latest volume is Band I. of the *Urkundenbuch der Stadt Esslingen*, edited by Drs. Adolf Diehl and K. H. Pfaff (Stuttgart, W. Kohlhammer). It prints or calendars 1146 charters, dating from 777 to 1360, and is furnished with an exceptionally elaborate index.

The Archduke Rainer has given to the Hofbibliothek his collection of papyrus and other manuscripts, more than a hundred thousand pieces in all. The publication of the papyri will be continued, under the charge of the director of the library, Dr. Joseph Karabacek.

Noteworthy articles in periodicals: J. von Pflugk-Harttung, *Die inneren Verhältnisse des Johanniterordens in Deutschland* (*Zeitschrift für Kirchengeschichte*, XX. 2); F. L. Baumann, *Die Eidgenossen und der Bauernkrieg in Deutschland*, II. (*Sitzungsberichte der k. bayerischen Akademie der Wissenschaften*, hist. Cl., 1899, 1); W. Struck, *Gustav Adolf und die Schwedische Satisfaktion*, II. (*Historische Vierteljahrschrift*, II. 4).

#### NETHERLANDS AND BELGIUM.

A review of recent Belgian historical publications, by Professor A. Delescluse of Liège, appears in the October number of the *Revue des Questions Historiques*.

The Belgian Commission Royale d'Histoire, originally formed for the purpose of publishing chronicles hitherto inedited, now proposes to print critical editions of those which have already been printed but of which there is no definitive edition; also to print in full several extensive cartularies, series of documents relating to the history of gilds, statistical pieces, and catalogues of the acts of the various sovereigns of the Belgian provinces.

Dr. Michel Huisman, who, while enjoying a *bourse de voyage* from the Belgian government, spent some time at Berlin, has printed in the *Bulletin* of the Royal Historical Commission, IX. 3, an *Inventaire des Nouveaux Manuscrits concernant l'Histoire de la Belgique acquis par la Bibliothèque Royale de Berlin*, in which he has listed all those documents which the library has acquired in this field since Gachard in 1864 enumerated those possessed at that time.

M. A. Hansay, assistant keeper of the archives at Liège, formerly a student of the University of Ghent, has published in the *Recueil de Travaux* issued by the faculty of letters of the latter university an important and thorough study of the domains of the great abbey of St.

Trond and the system employed in their management, *Étude sur la Formation et l'Organisation Économique du Domaine de l'Abbaye de Saint Trond depuis l'Origine jusqu'à la Fin du XIII<sup>e</sup> Siècle* (Ghent, Engelcke, pp. 198).

To M. Charles Laurent's first volume of the *Recueil des Ordonnances des Pays-Bas* (second series, 1506-1700), published in 1893, a second volume has now been added (Brussels, Goemaere, pp. 628) prepared by him but finally brought out by M. Lameere. It embraces about three hundred documents of the reign of Charles V., of the years 1520-1529, in which occurred the rise of Protestantism and the reform of the judicial, financial and administrative systems of the Low Countries.

Noteworthy articles in periodicals: G. Edmundson, *The Dutch Power in Brazil*, II. (English Historical Review, October); A. du Bois, *Les Coulisses du Gouvernement Provisoire* (Revue de Belgique, 1899, 6).

#### NORTHERN AND EASTERN EUROPE.

To his interesting series of translations of sagas Mr. David Nutt has added *The Saga of King Sverri of Norway*, now for the first time translated into English. The narrative is important for the history of kingship in Norway; it has been rendered into English by Mr. J. Sephton, reader in Icelandic in University College, Liverpool.

M. Christian Schefer's book on *Bernadotte Roi* (Paris, Félix Alcan) presents a scholarly and valuable study of Bernadotte's career, not neglecting the earlier portions, but relating with particular attention his history after he went to Sweden.

Mr. R. Nisbet Bain has added to his previous works in Russian history a volume on the reign of the Empress Elizabeth, *The Daughter of Peter the Great* (Westminster, Archibald Constable and Co.).

#### AMERICA.

Mr. George Iles of New York has projected an *Annotated Bibliography of American History*, to be edited by Mr. J. N. Larned of the Buffalo Public Library, and to be published by the American Library Association. The plan is the same as that of the *Annotated Bibliography of the Fine Arts* prepared by Messrs. Russell Sturgis and Henry E. Krehbiel. Some fifteen hundred or two thousand of the books which readers of American history most need to have appraised for them will be selected and critical annotations describing them or stating their value will be supplied by competent scholars, by specialists as far as possible.

Mr. Paul Leicester Ford is about to issue a volume composed of Weems's *Life of Washington*, with introduction, notes and comments, arranged after the manner of his book on the New England Primer.

Major E. Cruikshank of Fort Erie continues his *Documentary History of the Campaign on the Niagara Frontier in 1812*, by a third part (pp. 306, published by the Lundy's Lane Historical Society). The events from the autumn of 1811 to September 30, 1812, are herein illustrated



by a most elaborate and complete collection of documents derived from the Canadian archives, from the Tompkins Papers at Albany, from the manuscripts of Hon. P. A. Porter, from contemporary newspapers found in many repositories and from printed books.

Professor William MacDonald, of Bowdoin College, has in preparation a volume of select documents, illustrating the history of the United States in the period since 1861, intended as a continuation of the preceding volumes on the colonial period and that from the Revolution to the Civil War, and arranged upon the same plan.

Mr. D. G. Hill has published the fifth volume of the *Early Records of the Town of Dedham*, continuing the records of the town-meetings and of the selectmen from 1672 to 1706.

Mr. Amasa M. Eaton of Providence has printed a pamphlet of 128 pages on *Constitution-Making in Rhode Island*, which, while primarily occupied with an argument upon the question of the proper mode by which a new constitution for that state might be made, contains also much discussion of historical questions, especially with respect to the charters of Rhode Island, the constitution of 1842, and the history of local self-government in Rhode Island towns. (Providence, Preston and Rounds Co.)

Hon. Oscar S. Straus, United States minister to Turkey, and author of a well-known book on Roger Williams, has caused a tablet commemorative of the latter to be placed on the walls of the Charter house at London, where Williams was a student in 1624.

The state of New York has provided for the printing of an elaborate index to the deeds and mortgages in the offices of the county clerks of Albany and Ulster Counties, from the beginning to 1800. In view of the enormous original extent of these counties these records are of great value to the history of the state as well as to conveyancers and others interested in tracing the transfers of real property. This is undoubtedly a valuable enterprise, but an extraordinary feature of its execution is the provision that only 160 sets shall be printed: sixty for the various county clerks of the state and one hundred to be sold at auction for not less than one hundred dollars a set.

Mr. J. Pierpont Morgan has presented to the New York Public Library the manuscript portions of the Ford Collection, consisting of 180 bound volumes and of about 30,000 pieces in all. The volumes consist of transcripts of official records copied in England and in Spain and volumes of account-books of the latter part of the last and the beginning of the present century. Among the unbound papers are many portions of the correspondence of Horace Greeley, two hundred letters from Andrew Jackson, letters from Major William B. Lewis, President Monroe and others. The September number of the library's *Bulletin* contains a curious memoir of Ferdinand Columbus to Charles V., setting forth his project for a national library and its catalogue; also an interesting letter of Gen. James Wilkinson on the Mexican Revolution of 1823. The October number contains the texts of a group of letters written to and by

John Winthrop the younger, presented to the library by Mr. Paul L. Ford. The November and December numbers contain a translation of a memoir of Father Alonso de Benavides respecting New Mexico in 1626. Mr. G. L. Rives has given the library a transcript from the Spanish archives of Simancas of documents relating to the early history of Virginia and other parts of America, 1608-1624; Mr. John Cadwalader a collection of about two thousand letters to and from President Monroe, and to and from his son-in-law, Samuel L. Gouverneur. Dr. S. A. Binion has given a collection of 380 letters, proclamations and other documents of Casamajor, French commander at San Domingo, and other officials there, between 1781 and 1809. The library has acquired some sixteen volumes (8500 pages) of transcripts of papers relating to the American Loyalists preserved in the Public Record Office in London. Of this and of the similar collection at Washington we hope to give a fuller description at a later time.

The Van Rensselaer Papers have recently been turned over to the office of the clerk of Albany County, where they will be classified and arranged by Mr. Wheeler B. Melius. Those which relate to land-titles are expected to be included in the indexes mentioned above. The others will be turned over to the state controller to be arranged and indexed on the same plan which has been followed in the case of the Revolutionary records in his office.

The Public Record Commission of New Jersey makes an eminently proper beginning with its *First Report*, presenting, first, a description of records in the office of the secretary of state, second, a list of the sessions of the Assembly from 1703 to 1776 with a minutely careful bibliography of their printed journals, third, a bibliography of the printed acts of the legislature and ordinances of the governors from 1703 to 1800. Some documents respecting army depredations in New Jersey during the Revolution are appended.

The DeWitt Historical Society was formally organized at Ithaca on November 28, Dr. W. E. Griffis being chosen as president. The property of the historical society which existed there thirty or forty years ago was turned over to the new organization.

To the October number of the *Pennsylvania Magazine of History*, Mrs. Amelia Mott Gummere contributes an interesting article on Oxford and the Quakers, and Hon. N. Darnell Davis, auditor-general of British Guiana, contributes a series of accounts of Braddock's defeat, from the London newspapers of the day. In many cases they consist of letters from surviving officers, written soon after. A vivacious letter of Miss Rebecca Franks, 1781, is also printed, and a fresh installment of the General Title of the Penn Family to Pennsylvania. But much the most important document, of which only a beginning is made in the present issue, is the brief of an argument prepared by the counsel of the proprietaries, Wilmot, to be presented at a hearing before the Board of Trade, in opposition to acts of the provincial assembly for taxing the proprietary estates.

The October number of the *Publications* of the Southern Historical Association contains an article on John Brown's insurrection, replete with local details, by Dr. Thomas Featherstonhaugh; and an interesting and conscientious account of the Confederate prison at Salisbury, North Carolina, by the late Rev. Dr. A. W. Mangum, minister at Salisbury during Civil War times.

In Vol. III. of the reports of the Maryland Geological Survey (published at Baltimore by the Johns Hopkins Press, 1899), Part III., pp. 107-186, is a dissertation on Highway Legislation in Maryland and its Influence on the Economic Development of the State, by Dr. St. George L. Sioussat, of the Johns Hopkins University, now assistant in Smith College. The first volume brought out by the Maryland Weather Service (similarly published) contains, pp. 331-416, a Sketch of the Progress of Meteorology in Maryland and Delaware, by Mr. Oliver L. Fassig.

Rev. Dr. B. F. Riley, professor of English in the University of Georgia, has published his *History of the Baptists in the Southern States east of the Mississippi* (Philadelphia, American Baptist Publication Society, pp. 376).

Perhaps the most interesting matter in the October number of the *Virginia Magazine of History* is a group of documents, chiefly by Governor Nicholson and Commissary Blair, most of which relate to the founding of William and Mary College. Much interest also attaches to a series of letters of Washington to Henry Lee. John Redd's reminiscences are continued, the present installment relating chiefly to Gen. Joseph Martin, Colonel William Campbell and other heroes of the Revolution. The answer of Sir George Yeardley to the charges made against him by Captain John Martin, and the Saintsbury abstracts of 1624-1625, throw useful light on early days; but Governor Wyatt's commission has already been printed, by Rymer in his *Fœdera*.

Volume III., part 1, of the *Lower Norfolk County, Virginia, Antiquarian* contains a list of landowners and slave-owners in Princess Anne County in 1775, and another of the property-owners of Portsmouth parish in 1860, showing, among other things, a considerable amount of property held by free colored persons. The documents respecting the Church in Lower Norfolk County and respecting Grace Sherwood are continued.

The fifteenth and sixteenth volumes of the *North Carolina State Records*, edited by Judge Walter Clark (pp. 789, 1204), have been published by the state. The latter volume extends to 1783 and contains legislative journals, official correspondence and the roster of the North Carolina Continental Line.

Mr. William A. Blair of Winston, N. C., has in preparation a *History of the Banking and Currency of North Carolina*, which he hopes to illustrate with cuts of colonial currency and of the state bank issues.

Professor Kemp P. Battle, formerly president of the University of North Carolina, is engaged in preparing a detailed history of that influential institution.

Miss Sallie W. Stockard has in preparation an extensive *History of Alamance County, North Carolina*.

The South Carolina Historical Society expects to begin with the present year the practice of issuing a quarterly magazine devoted to the publication of unprinted manuscripts and historical documents, genealogies, book reviews and historical notes and queries.

Among the many commemorations of the centennial anniversary of Washington's death one of the most interesting was that which took place at Charleston, S. C., under the auspices of the Sons of the Revolution. They placed a commemorative tablet upon the old Exchange Building, which was erected in 1767 as an exchange and custom-house, in which the tea was stored and in which the Provincial Congress of 1774 assembled. Efforts which, it is to be hoped, will prove successful, are being made to ensure the permanent preservation of this historic building.

The Alabama History Commission has prepared for distribution a general statement of the work which it proposes, including a somewhat detailed outline of its various possible activities, and appeals to individuals for aid in providing data. Persons outside the borders of the state who may know of manuscript material relating to Alabama history are requested to communicate with the chairman, Mr. Thomas M. Owen, of Carrollton.

In the *Comptes-Rendus de l'Athénée Louisianais* for September and November Dr. G. Devron printed an interesting memoir on Louisiana written in 1717 by François Le Maire, priest of Paris, a missionary in the new province. The November issue contained a remarkably complete list of the officers of the colony down to 1753.

Professor J. Hanno Deiler of Tulane University, whose pamphlet of 1897 on *Die europäische Einwanderung nach den Vereinigten Staaten* bore especial reference to the German immigration into the Southern States, is engaged upon a history of the German Press in New Orleans.

The October number of the *Quarterly* of the Texas State Historical Association contains the conclusion of W. S. Lewis's narrative of the adventures of the immigrants on the *Lively* and the first installment of an ingenious, thorough and scholarly examination of the route of Cabeza de Vaca by Mr. Bethel Coopwood. The society increases rapidly in membership; 710 members are now reported.

The original journal that Stephen F. Austin kept while in prison in Mexico has been found among the Austin papers. It is written in Spanish. The Texas State Historical Association has recently acquired the original order-book of the Texas Santa Fé expedition of 1841.

The seventh volume of the *Ohio Archaeological and Historical Publications* (Columbus, 1899, published for the society by Frederick J. Heer, pp. 366) contains, first, a general account of the Indian Tribes of Ohio, by Mr. Warren K. Moorehead, formerly curator of the society's archaeological interests. It is serious and critical, but greatly lacking in literary qualities. Next follows another hundred pages by the same writer, de-

scribing the field-work done for the society by Mr. Clarence Loveberry during the seasons of 1897 and 1898. The remainder of the volume is mainly occupied with the proceedings at the centennial anniversary of the Treaty of Greenville, on August 3, 1795, and at that of the settlement of Gnadenhütten, on September 29, 1898.

The *Fifth Biennial Report of the Trustees of the Illinois State Historical Library* reports the addition of 3735 books and pamphlets since the last report. The board of supervisors of Sangamon County has ordered that all records and documents in the archives of the county containing the name of Abraham Lincoln be transferred to the State Historical Library; a great variety of such records and documents has accordingly been thus deposited. The report of the trustees is accompanied by two *Publications* of that body, prepared by Professor Edmund J. James of the University of Chicago. No. 1 (pp. 94) is a bibliographical list of Illinois newspapers, prior to 1860, with notes as to their history; an appendix gives a list of the Illinois and Missouri newspapers possessed by the Mercantile Library of St. Louis. No. 2 (pp. 15) gives a list of the laws made for the territory of Illinois by the governor and judges, 1809—the law-making authority from 1809 to 1812, and the texts of four of the laws. The rest cannot be found either at Springfield or at Washington.

The forty-seventh annual meeting of the Wisconsin State Historical Society occurred at Madison on December 14. This was probably the last meeting to be held in the old quarters of the society in the state capitol. The new Historical Building, intended to house both the society and the university library, and constructed at a cost of \$600,000, is expected to be ready for the society's occupancy in May. Accessions of 7727 books and pamphlets were reported.

In 1893 the State Historical Society of Washington issued at Tacoma one number of the *Washington Historical Magazine*, chiefly occupied with a record of the centennial exercises held at Grays Harbor in 1892 in honor of the discovery of that region by Captain Robert Gray, of the Columbia, in 1792. During the past autumn the society has made a new beginning with Vol. I, No. 1, of *The Washington Historian*. The first number presents autobiographical and other material relating to the pioneer settlers of the state, a summary article on early exploring expeditions to the Northwest Coast and contributions to the history of the society itself and of education and of political parties in Washington.

Beside the Newfoundland items found in the *Registres Gascons* of Bayonne, elsewhere mentioned, we note *Les Rochelais à Terre-Neuve, 1500-1789*, by M. G. Musset (La Rochelle, impr. Girault, pp. 139).

Professor Frederick Starr, of the University of Chicago, who has made several tours in southern Mexico for purposes of anthropological study, publishes privately, in a limited edition, a volume of 141 photographic plates with descriptive letter-press entitled *The Indians of Southern Mexico, An Ethnographic Album*. From the specimens which ac-

company the prospectus the volume appears to be one of great excellence and value in its field.

Vol. XVII. of the *Coleccion de Historiadores de Chile* consists of a second volume of the *actos del cabildo*, or town-council records, of Santiago de Chile. The first volume, published nearly thirty years ago, contained the extant records of the years 1541-1557. The present volume contains all that the editor, Don José Toribio Medina, has been able to discover of the records from 1557 to 1577.

Noteworthy articles in periodicals: W. J. Ashley, *The Commercial Legislation of England and the American Colonies, 1660-1760* (Quarterly Journal of Economics, November); E. E. Sparks, *The Expansion of the American People* (Chautauquan, October-January); P. L. Ford, *Franklin as Politician and Diplomatist* (Century, October); C. W. Somerville, *Robert Goodloe Harper* (Conservative Review, May); L. M. Keasbey, *The Terms and Tenor of the Clayton-Bulwer Treaty* (Annals of the American Academy of Political and Social Science, November); F. Bancroft, *Seward's Proposition of April 1, 1861* (Harper, October).



